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THE
POLITICAL HISTORY
OF
ENGLAND,
DURING THE 16th, 17th, AND 18th CENTURIES.

BY
FREDERICK VON RAUMER,
PROFESSOR OF HISTORY IN THE UNIVERSITY OF BERLIN.

VOL. II.
FROM THE BREAKING OUT OF THE SCOTCH TROUBLES, TO THE
RESTORATION OF CHARLES II. 1637—1660.

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CHAPTER I.

From the Breaking out of the Disturbances in Scotland to the
Opening of the Long Parliament.

(1637—1640.)

ALL the above mentioned errors, complaints, and misunderstandings would scarcely have produced important consequences in England, or have caused more violent explosions, if Charles had understood how to acquire love and confidence in Scotland, his hereditary kingdom. That we may the better understand and appreciate the subsequent relations and events, it is necessary to bear in mind some particulars of the Constitution, in Church and State, of that country.

The Scotch Parliament had long consisted of three estates, the members of which, however, voted promiscuously together, and decided according to the majority. Whether resolutions of the estates had the force of laws, without the royal sanction, may be much doubted; but the King certainly had no veto in the modern sense of the expression. But as no-

thing came before Parliament without the consent of the Lords of the Articles, of whom we have spoken in Vol. I. and the King had the greatest influence in the election, especially through the Bishops, who depended upon him, he obtained, at the beginning, by the almost exclusive initiative, what was not allowed him at the conclusion, in the form of a negative.

Before the year 1587, there was, in Scotland, no Nobility, independent of territorial possession, enjoying political rights; and it is not till after that time that we find Peers sitting and voting in Parliament, without election, by virtue of their personal hereditary right. With this the following changes were intimately connected.

Firstly: The immediate possession of land granted by the King no longer gave every holder of it a right to appear in Parliament; but each county chose, and supported, two deputies from the possessors of freehold estates. Ordinances were published respecting the qualifications which the electors and elected ought to possess.⁽¹⁾

Secondly: The right of election and voting attached to the land, without regard to the dignity or title of the possessor; the higher Nobility, who appeared by virtue of their personal rights, did not vote at the election of these new representatives.

¹ The Notes will be found at the end of the Chapter.

Thirdly : The alienation of land did not confer any additional dignity on other persons. The citizen who acquired a county did not, therefore, enter into the rank of the Lords, but only obtained a right to vote at those elections. By these changes, the poor freeholders hoped that they should save many expenses, and the richer, who were generally elected, that they should gain in importance. Lastly : The Court calculated that in the less numerous assemblies there would be more order, judgement, and moderation than before, and that it would be more easy for it to exercise a salutary influence on the deliberations. James's plan, to introduce into Scotland the English system of two separate and independent Houses, and a royal veto, failed ; and, though he obtained some influence, through the Bishops and the representatives of former ecclesiastical offices, and still more by the Ministers having a vote in Parliament, the Nobility had, in general, the preponderance. Thus, in 1628, there were in the Parliament, forty-two Nobles, ten Bishops, four Officers of the Crown, and twenty-six Deputies for Counties, ten for Towns and Cities.

The situation of the Church in Scotland was much more precarious, and more contested, than that of the State, as appears from a concise enumeration of the several regulations and laws. In the year 1572 an extraordinary Commission drew up the Articles of Leith, which (in consequence of the demands and

concessions) were a strange mixture of Roman Catholic, Episcopal, and Presbyterian notions ; so that they did not properly satisfy any party, though the Regent confirmed them, and the direction of the Bishops was retained. In the year 1578 the Clergy, under the influence of Melville, submitted a law on the discipline of the Church, which strictly separates the temporal and ecclesiastical Government, and proposes an essentially Presbyterian constitution of the Church. Many points were adopted, some postponed or rejected ; but the Clergy endeavoured to carry everything by their own power, and in 1580 proposed a reformed confession of faith, which was accepted by the King. Twelve years afterwards (1592) the Parliament ratified the Presbyterian constitution of the Church ; James however succeeded in regaining for the Bishops their seat in Parliament, and many of the Church lands, and a general assembly, held at Glasgow under his influence, 1610, decided :—the King alone has the right to call an assembly of the Church, at the head of which are the Archbishops and Bishops. Without their concurrence no sentence of excommunication can be pronounced, and if necessary the royal assent is to be obtained. The Bishops are to examine their Dioceses, appoint Clergymen, on the proposal of persons duly authorized, and suspend them, with the advice of the Clergy. The Bishops, on the other hand, are subject to the censure of the General Assembly, and,

if found guilty, to be punished, with the advice and consent of the King. All the Clergy are to swear allegiance and obedience to him, and to acknowledge that he is by law the only and supreme ruler in the kingdom, as well in temporal affairs as in reference to the preservation and purifying of religion. No person, on pain of suspension, is to speak against these decisions, either from the pulpit or elsewhere; and, above all, none shall discuss the question of the equality or inequality of the Clergy.

By these resolutions Presbyterianism was essentially restricted, and the royal power extended. At the same time no pains were taken to deduce the Episcopal dignity from an unconditional divine appointment, nor was any right connected with it which could never have been exercised by the other Clergy. In the parliamentary ratification, however, in 1612, the clause in the above resolution, by which all the Bishops are rendered subject to the General Assembly, was purposely omitted. In the year 1617, James caused an ordinance to be drawn up, by which everything should have legal validity which he should decide, on the constitution of the Church, by the advice of the Archbishops, Bishops and a certain number of the Clergy. When the remonstrances against these regulations became louder and more violent, the King punished or removed the refractory Clergy, and wrote—"This point may be passed over as superfluous, because the rights of my crown give

me more than is there laid down. On the one hand, I shall do nothing contrary to reason ; but, on the other hand, as my demand is just and religious, you must not believe that I will suffer myself to be contradicted or opposed.”

After James had thus obtained his will with respect to the constitution of the Church, he proceeded, with the support of the Bishops, to the doctrine also ; and, in 1618, the Articles of Perth, which we have already inserted, were enforced in an undue manner : for at that time the deputies of many districts were not in the Assembly ; no discussion was allowed ; the decision was left entirely to the Royal Commissioners and to the Bishops ; the vote was taken upon all the five points together, and every one who opposed them was threatened with deprivation. Yet fifty-five Clergymen voted against them ; and the apparent majority was obtained only by insidiously putting the question in this form—“ Will you consent, or disobey the King ?”

In the same manner, James aimed at changing the Scotch Liturgy ; for as in a kingdom there could be only one King and one Constitution, so also only one form of divine worship ; and hereby too all the censures would be done away with which the Catholics passed on the differences and variations in Protestantism itself. But before this plan was executed, James I. died, and it was hoped, that the new King would better understand the disposition of the people's minds, and not persist in the course of his

pedantic father. Large sums, which the Parliament voted in September 1625, with very great readiness, would, it was hoped, increase the King's confidence, and render him more inclined to listen to the wishes of his hereditary kingdom. But when the same Parliament, in the year 1631, confirmed all the ordinances hitherto issued on religion and the Church, the wide difference of opinion was manifested; for while one party approved both the form and the substance of the resolutions, the other complained of partial consultations and illegal voting, and while the King neglected and disregarded the complainants, the correspondence became more and more violent, till Dr. Leighton recommended the extirpation of all the Bishops, and called the Queen a Canaanite and an idolatress. His language was without doubt very indecorous, and his propositions highly intolerant; but a change of temper and views could be as little effected by his punishment, as by that of Prynne in England. Leighton was scourged, put in the pillory, his nose slit, and his ears cut off. He remained in prison till the Long Parliament restored him to liberty.

The hope that Charles's own presence in Scotland, would put an end to all misunderstandings failed; for, not to mention that the very formalities of his coronation, on the 21st June, 1633, were blamed by many as Papistical, the mode in which he endeavoured to enforce his will in Parliament, and his treatment

of those who opposed it, easily excited a suspicion that he wished to govern in Scotland, as in England, with unlimited power, and without a Parliament. In the same spirit he had abolished all that had formerly been done to the prejudice of the Crown, (especially during some minorities) with respect to the grant of estates, rights, church patronage, &c. and thought he could justify this conduct by precedents, and the assent of the principal Judges and Officers of State. On the other hand, it was affirmed that acts of violence in former times ought not to be alleged as examples for the present; and that Officers of State and Lawyers entirely exceeded the limits of their sphere if they would first arbitrarily decide what was prejudicial to the Crown, and then declare, that because it was prejudicial, it might be arbitrarily abolished.

Another subject of complaint arose from the election of the Lords of the Articles. Eight Bishops, entirely dependent on the Crown, first of all chose in the usual manner eight Nobles, and these sixteen then chose sixteen other persons among the Deputies of the Counties and Towns. These thirty-two individuals, as Lords of the Articles, decided everything the more certainly because no subject was laid before Parliament without their advice and assent; and the Parliament seldom had more than a few sittings, the first to choose those Lords, and the last to confirm their proposals without discussion. In general the

powerful Nobility were angry that this form of election made them much more dependent than in the Popish times on the Bishops, who were now held in disrespect, and that the King contemplated to restore the church lands and tithes to the former holders and receivers. Charles, on the other hand, not only believed that this last measure was conformable to justice, but also calculated on the gratitude of the Bishops, and looked upon them as the ecclesiastical authority appointed by God, and the most firm and indispensable support of his throne. He did not, or would not, see that they were hated by the Nobility, the Clergy, and the people ; and that he only weakened his own authority, instead of confirming and maintaining it. The Nobility hated them, partly for the reasons stated above, partly because the King had by degrees confided to them many high offices of state, and had given them a seat and vote in the Privy Council ; the inferior Clergy looked on all higher dignities in the Church as damnable excrescences, and complained of the pride, the extended jurisdiction, the riches, and the worldly conduct of their opponents ; the populace joined in these last complaints, and designated the Bishops as Arminians or Roman Catholics ; party names, which roused the passions the more because no clear idea was attached to them. The Presbyterians of all classes complained that since 1618 no General Assembly had been held, and that the ancient Constitution of the Church had

been abolished in almost every particular, the more precipitate did it appear in the young King, at once to sanction the recent regulations in the Church without consulting the Clergy, who were acquainted with the subject, though it was well known that they had been either obtained by artifice or extorted; that in general it was of the highest importance to the purity and freedom of the Scotch Church never to forget that the Reformation had proceeded from the people and had been accomplished by the people; that the King, therefore, could by no means come forward as unlimited legislator, or supreme head of the Church, and enforce his arbitrary will, as if it were divine truth. On the contrary, they alleged that he was himself, in this respect, subject to the law of the Church—nay even to ecclesiastical penalties.

Such was the prevailing temper and mode of thinking, when Charles left Scotland, in the year 1633; but, instead of taking warning and avoiding every appearance of English influence, he conceived that his right in the affair of the Church was unlimited, inviolable, and of divine origin; consequently, that it was everywhere equally valid, and ought undoubtedly to be enforced. Thus, relying upon right and power, he expected easily to keep down public opinion, or guide and new model it.

In contradiction to these hopes, the complaints respecting the Articles of Perth were renewed with increased violence after his departure. The Assem-

bly at Perth, it was objected, had not been summoned in a legal manner, was without any liberty, and had adopted offensive superstitious resolutions, at variance with the pure doctrine. Thus, it is idolatry to receive the sacrament kneeling; it is an essential part of it that every one should break the bread himself, and, after having taken a piece of it, present it, together with the cup, to the person sitting next him at the table; baptism out of the Church is an abuse, and promotes the error of its absolute necessity; the consecration of children by imposition of hands by the Bishop is a Papal custom; and the celebration of certain festivals a Jewish superstition. By these and similar assertions, so many doubts were raised among the people that they preferred celebrating divine service in the open air, in a manner which was said to be truly orthodox, rather than go to the Episcopal Churches, where the Articles of Perth were adhered to. In order not to excite more animosity, many Bishops took no notice when Clergymen contradicted those Articles, or did not conform to them. But when the King was informed of these particulars, he did not agree to the proposal either to let the abhorred regulations die away without notice, or expressly to abolish them; but commanded them to be everywhere strictly enforced.

In order that there might be no doubt remaining respecting the nature and contents of the laws of the Church, the King ordered the Bishops of Ross,

Galloway, Dumblane, and Aberdeen to draw up a collection of them, which was to be examined and corrected by Laud. On the 23rd of May, 1635, Charles confirmed this new book of canons, by virtue of the royal prerogative and the supreme authority which belonged to him in the affairs of the Church, and commanded that it should be everywhere received, observed, and executed. In this book it is affirmed, among other things, that the King has the same rights as the Kings of Judah, and whoever calls his unlimited power in question is liable to excommunication. No Clergyman is to say extempore prayers, to instruct youth without permission of the Bishop, or to exercise any ecclesiastical functions, till he has signed this book of the Canons. There shall be no discussion or treating on the expounding of the scriptures, or other religious subjects, except in the residences of the Bishops, &c.

As soon as this new book of canons arrived in Scotland, the people made the loudest complaints, and said, How can the King put forth as laws of the Church, so many ordinances imposed by the arbitrary authority of his father, and attempt to give them permanent validity through his sanction? Nay, this book of canons does not even contain the preceding ordinances alone; but, under the pretext of collecting them for more convenient use, a number of innovations have been smuggled in: for instance, respecting the Lord's Supper, marriage, confession,

consecration of priests, &c. Without the concurrence and decision of the assembled Clergy, the King cannot pass any law affecting the Church, and Scotland has never recognised his temporal papacy and unlimited power. Whatever he decides on this subject, whatever he orders under the penalty of excommunication, is equally impious and illegal; finally, it is altogether absurd to require that the Clergy shall, together with the canons, receive and swear to a future liturgy, with which they are not acquainted, and which is not even yet composed. When some persons observed, that as it was stated in the canons that no doctrine and discipline in the Church could at once be perfect, the Scotch Church should be at liberty to make remonstrances to the King on the subject; it was answered that Laud had inserted this clause only to deceive and to quiet people's minds, but in truth to retain the King's unlimited right of decision. And why suddenly and violently persist, contrary to right and reason, in imposing, by force, what the authors themselves do not consider as perfect, and ought, therefore, to submit to more mature deliberation?

Instead of taking warning by these weighty and violent objections, the King and his Councillor Laud considered it to be his right and duty by no means to stop half-way, but in all cases to impose his opinion, as divine law. Since the Reformation, the Scotch Church had almost always adopted the liturgy of

Geneva, and was the more averse to the English forms, because Calvin, in a letter to Knox, had said, "I see in the English liturgy many absurdities, and do not know why so much pleasure is taken in the dregs of Popery." Laud, on the other hand, endeavoured to bring the English liturgy still nearer to the Catholic; not because he desired to restore Popery, but because he approved of greater splendour and solemnity, and perhaps, as some are of opinion, wished to reconcile the English Catholics with the new institutions, and draw them away from Rome. Now if this, as we shall see in the sequel, gave great offence even in England, it was still more dangerous to attempt such innovations in Scotland, which was especially devoted to the reformed religion, or Calvinism, and where every Clergyman considered it as an inalienable and salutary right that every thing was not prescribed by the liturgy, but that it was left to him freely to speak and to pray, according to circumstances, and from immediate inspiration.

Laud, who at the King's coronation in Edinburgh, had already affirmed in a sermon, and in a manner offensive to the Scotch, the necessity of unity in the external forms of the Church, caused Wedderburn, Bishop of Dumblane and Maxwell, Bishop of Ross, to draw up a new liturgy for Scotland which on the whole resembled that of England.^(*) After it had been examined by the Bishop of Norwich, and Laud, as if he had been the superior Archbishop of Scotland,

had made many changes in it and brought it still nearer to the Catholic form, it received the royal sanction, and was sent to the Scotch Privy Council, composed chiefly of bishops, which did not make the least objection to it. On the contrary, on the twentieth of December, 1636, it caused notice to be given, by sound of trumpet, to the effect that, though the King did not doubt that all his subjects, clergy and laity, would receive the new liturgy with all submission, he, however, thought it necessary to acquaint them that he had confirmed it according to his will and pleasure, and commanded everybody, under the severest penalties, to conform to it, and also that by the following Easter two copies should be provided for use in every parish.

Immediately after this notice, loud complaints arose, similar in the main points to those we have already communicated. Competent judges had long since shown the essential defects of the English liturgy, and to these, it was alleged, were now added great errors respecting the sacrament, consecrations, crosses, images, saints' days, &c. How can a foreign Archbishop, and a King who is by no means duly acquainted with these matters, without consulting the Clergy, who alone possess authority in ecclesiastical legislation, forcibly, impose such things, and violate the rights as well as the conscience of every individual? Even that which might be proved to be the best form ought not to be prescribed in such

a manner, how much less ought everything to be thrown back into foolish superstition ? Some indeed said that the alterations were well meant, and contradiction might offend the King ; but the question here did not relate to opinion, but to truth and conviction ; and the contradiction is not directed against the King, but only against his foolish Counsellors, who propagate error.

Under these circumstances, some of the older and more prudent Bishops, among whom was the Bishop of Saint Andrew's, declared that it was to be apprehended that the forced introduction of the Liturgy would give occasion to serious disturbances ; ⁽³⁾ whereas the younger Bishops, nominated by the King, mostly from pride and levity, were for proceeding at all events ; and many other men apparently agreed with them, while they secretly hoped that by such blunders and precipitation the Episcopal constitution would the more rapidly and inevitably hasten to its destruction.

To the report which was hereupon transmitted to London, Laud indeed replied that they should proceed with caution, and not violate the laws of the country ; yet, in contradiction to this direction he insisted that the whole plan should be carried into effect. A threat was at the same time held out that timid persons would be removed, and their places entrusted to abler men.

But, instead of coming forward with more decision

and firmness, the men who had given the warning thought they had already done enough to avert the impending danger; and the violent party obtained a proclamation that the liturgy should be introduced, in one week, on the 23rd of July. Though such a notice caused a very great excitement, not the least was done to allay it, and no steps taken to preserve order, or put down any opposition that might be offered. The overweening confidence of one party, and the secret wishes of the other, tended to the same result.

On Sunday, the 23rd of July, 1637, in the Cathedral Church of Edinburgh, when the Dean opened the book to read the new liturgy, the audience (chiefly women and maid servants) raised a dreadful clamour, clapping their hands, coughing, and screaming, so that, finding it impossible to proceed in the service, he was obliged to retire. When the Bishop, following the Dean, ascended the pulpit, and exhorted the people to order and tranquillity, not only did the tumult recommence, but a stool was thrown at him, which, had it not been accidentally caught, might have killed him. (4) The exertions of the Archbishop of St. Andrew's, and of the Chancellor, were equally unavailing; and it was not till many persons, disgusted at this scandalous scene, took part with the civil magistrates, that the rioters were turned out, and the doors closed. But divine service was scarcely resumed when the noise at the doors was repeated;

the windows were broken, and the Bishop on leaving the cathedral, was insulted, pelted, and illtreated. In most of the other churches it had been found equally impossible to proceed with the reading of the liturgy, from similar opposition.

In all these disturbances no respectable person had appeared, and the magistrates of Edinburgh loudly expressed their disapprobation, and promised to give their assistance. Confiding in this, the Privy Council threatened every rioter with death, and the Bishop laid the city under an interdict for one month, so that divine service was for a time altogether suspended. These measures, however, inspired but little terror, as it was soon found to be extremely difficult to discover and punish the authors of the first tumult, and it could scarcely be doubted that in the first instance, women and servants had indeed begun it, but that clergymen and eminent laymen were in the back ground, who had approved the object, if not every means of attaining it.⁽³⁾ Still greater indignation was excited by the episcopal interdict, which punished the innocent as well as the guilty, and equally set aside the old and new liturgy.

The affair was represented to the King in as mild a light as possible, and as if none but the mob had taken part in the disturbance. Hence Charles still believed that everything might be carried by perseverance; and that it must be carried, in order that the respect due to the magistracy might not be

utterly destroyed. He therefore blamed timid concession, did not think it necessary that some persons should come to London to make him better acquainted with the circumstances, and declared that it did not appear how any genuine improvement in the Church could proceed from such desecration of the Lord's Day, such wickedness and popular tumult. In Scotland, on the contrary, many said that the populace had, by a divine dispensation, spoken first, like Balaam's ass, and this was a thing worthy of notice. Alexander Henderson, therefore, one of the most eminent of the Puritan Clergy, declared himself willing, together with his colleagues, to state in the presence of the Bishops all the arguments against the liturgy. The Earls of Traquair, Roxborough, and Southesk seconded this proposal, because it would quiet the people, and prevent new tumults. The Bishops present in the city replied, however, that it was not advisable thereby to call their authority and rights in question, or to subject the liturgy, confirmed by the highest temporal and spiritual authority, to such an examination. At length, however, they consented, upon certain conditions to be first submitted to the King, to enter into discussions; but now (so rapidly did opinions and demands unfold themselves) those Clergymen rejected the offer, and insisted on the convocation of a General Assembly.

The King, dissatisfied that his previous orders had not been instantly obeyed, gave new and more

positive directions, in consequence of which the Scotch Privy Council gave notice at Edinburgh, on the 17th of October, that because the inhabitants had hindered the reading of the liturgy, and done violence to their Bishop, the supreme Court of Justice should be removed to Linlithgow, and a book recently published against the liturgy be confiscated and burnt. At the same time all discussions on the affairs of the Church were strictly prohibited, and every person who did not belong to the city was ordered to quit it in twenty-four hours, on pain of being prosecuted for high treason. These orders excited the greatest discontent; and people said it is unjust to punish a whole city for the faults of individuals, to burn writings against the liturgy, and, from mere apprehension, to expel quiet people from the city.

On the following day the discontent rose to a new tumult, and acts of violence were committed against the Bishop of Galloway, the authorities not having the means at their command to restore order; nay, it appeared that there was a diversity of opinion in the Privy Council itself with respect to the measures to be adopted. Meantime the number of petitions against the liturgy gradually increased to sixty-eight. The more moderate requested that the King would not consider what had happened as a mere vain noise of foolish women, but reflect that the question was the maintenance of the pure religion, which they

valued above property and life. The Clergy further alleged that the liturgy was unchristian and popish; that the manner in which it had been drawn up and confirmed was contrary both to law and custom, and that in general, the people had been educated in other opinions, and were averse to innovation. Lastly, the most violent directly demanded that the Constitution of the Church should be changed to a Presbyterian form.

The Privy Council, which feared greater excesses and evils, and hoped more easily to guide a small number, at length consented that, if the citizens and country people, who flocked in extraordinary numbers to Edinburgh, would return home, and the others would behave themselves peaceably, deputies might assemble, in expectation of the King's further directions. Accordingly there were formed, on the 26th of November, 1637, *four Tables*, for the nobility, the clergy, the counties, and the towns; each of which prepared its own special affairs, and then laid them before the principal table, where all the four estates united to come to a resolution.

Meantime the King had been informed of the increasing opposition, but still blamed the supineness of the authorities, and thought it sufficient to declare, in December, 1637, that he was attached to the true religion, and did not desire to attempt anything against the rights and liberties of the kingdom. Such an unmeaning declaration was the less calculated to give

satisfaction, because the very point in debate was, in what true religion and legal liberty consisted. When the Privy Council, doubtless by the King's instructions, went so far as to announce to the deputies of the tables that it would receive no more petitions against the Bishops and the liturgy, the deputies answered, that the Bishops ought to be excluded from the royal council, and not allowed to vote in matters which concerned themselves; (°) that all the evils which might yet ensue were to be attributed to the royal council, on account of its refusal to do justice.

By all these proceedings the King was again offended, and, on the 19th of February, 1638, he issued an ordinance to the following effect: For the maintenance of true religion, and the extirpation of all superstition, we have caused a new prayer-book to be drawn up for our kingdom of Scotland, and after mature examination have confirmed it in all its parts. We therefore consider the petitions presented against it to be violations, both in their form and contents, of our royal authority; and all those who have signed them, or who attended the meetings held for that purpose, as having rendered themselves liable to the severest penalties, both in their persons and properties. Being convinced that all has proceeded from false zeal, we are indeed willing to pardon what is past; but positively command, under the pain of treason, that no further examination

and discussion on these subjects shall take place, that our will be executed, and the persons assembled at Stirling quit that place in six hours. Petitions, on the contrary, which do not offend our authority, will continue to be attended to by us in future.

Against this royal declaration the assembled deputies immediately delivered the following reply: The liturgy is full of superstition and idolatry, and cannot be imposed without the assent of a General Assembly of the Scotch Church. It is unjust directly to refuse to listen to our complaint against the Bishops; till they shall have purified themselves from the accusations brought against them, we cannot recognise either their ecclesiastical rights, or their participation in the Privy Council, or the tyrannical constitution of the Court of High Commission. All our meetings and petitions have no object but the maintenance of the religion, laws, and liberties of the kingdom. We, therefore, confidently believe that his Majesty, with his accustomed goodness and justice, will listen to our petitions and complaints, in such a manner as may be expected from a gracious King to faithful subjects. We further pray that God may grant him to reign long and happily over us.

This protest was not only publicly read and posted up in Stirling, but distributed over the whole kingdom, and received with such approbation that a new and still more important step was soon taken. (7)

The discontented believed that without a closer

connection, and a more positive statement of their objects they would certainly be obliged, in the end, to yield to their more powerful opponents. On this account, therefore, Henderson, and the advocate Johnston, drew up, with reference to preceding examples, a bond, or covenant, which was examined by some Lords, and afterwards, on the 1st of March, 1638, accepted and sworn to in Edinburgh, by a great number of persons of the higher and lower classes. It contained, in the first place, in violent terms, an unconditional rejection of the doctrine and constitution of the Roman Catholic Church, and a confirmation of preceding unions for the reformed religion of 1580 and 1590. Then followed an enumeration of all the Scotch Acts of Parliament for the establishment of the new religion, and a vow never to adopt any innovations which essentially tended to Popery, and never to acknowledge the spiritual and temporal rights of the Bishops, till a free General Assembly of the Church, and a free Parliament should have decided on all these matters. From the knowledge and conscience of our duty to God, to our King and country, we promise and swear to continue in the profession and obedience to the true religion, and to defend it to the utmost of our power. In like manner, with the same heart, we declare before God and man, that we have no intention or desire to attempt anything that may turn to the dishonor of God, or the diminution of the King's greatness

and authority; but, on the contrary, we promise and swear, that we will, to the utmost of our power, with our means and lives, stand to the defence of our dread sovereign the King's Majesty, his person and authority, in the defence and preservation of the afore-said religion, liberties, and laws of the kingdom; and also to the mutual defence and assistance, every one of us of another, in the same cause of maintaining the true religion and his Majesty's authority, with our best counsels our bodies, means, and whole power, against all sorts of persons whatsoever. Nor will we be persuaded in any manner by insinuation, enticements, threats, &c. to abandon this blessed and loyal union. But, as we cannot expect God's blessing on our measures unless we live in every respect like Christians who have renewed their covenant with God, we promise to act and persevere, publicly and privately, in all piety, moderation, and justice, and to perform all our duties to God and man.

In the temper which at that time prevailed in Scotland, this covenant appeared so just and wise, such a praiseworthy establishment of civil and religious liberty, that within one month it was adopted almost universally, with the greatest enthusiasm, scarcely one out of a hundred refusing to sign, and swear to it. Only Catholics, strict Episcopalians, and courtiers rejected it, but as the success, which surpassed all expectation, was regarded as a new proof of the holiness of the undertaking, they were stigmatized by the

zealots as atheists, or not admitted by the Clergy to the sacraments.⁽⁸⁾

When the King received information of this new Covenant, he was very indignant but delayed giving a decisive answer, in order to employ the interval in strengthening his compulsory measures. Meantime, however, the Covenanters were still more active, and reinforced their party in such a manner, that the objections of the King, when they were at length expressed, made little impression. He severely reprimanded them for having, in a wholly illegal manner, concluded a covenant, imposed oaths and obligations, evaded all participation of the authorities and of the King, and arbitrarily decided on affairs of Church and State, without the Parliament and General Assembly. He said, that in their declarations and actions, the following erroneous doctrines were implied :—“The majority of the people has the right to revoke the resolutions of the Government, and to enter, without the royal permission, into associations, against all persons, that is to say, therefore, against the King himself. It may refuse when the honor of God and the welfare of the Church are concerned, to obey the summonses of royal authorities and tribunals, and refer to the Parliament and General Assembly. The latter, if the King does not convoke it, may meet by its own authority, and he is bound to confirm its resolutions. In like manner, the General Assembly has a right to rescind

the resolutions of the Parliament, if it interferes in the affairs of the Church. Lastly, if civil officers refuse to execute ecclesiastical decisions, they are liable to the highest spiritual penalties, and to lose their offices and property."

From all this it appears that complaints of individual cases and precise objects, were even at this time intimately connected with discussions of general questions relative to the State and Church, passive obedience, the right of resistance, &c. Thus, for instance, royalists affirmed that it was wrong to complain of the new liturgy, as it agreed, in all essential particulars, with that which was adopted at Aberdeen in 1616; the observance of which indeed the Clergy had often arbitrarily taken upon themselves to dispense with; that the most offensive diversities had hence arisen, and that, to the disgrace of all religion, people had spoken so rudely of God, and prayed in so seditious a manner, that no libel or satire could express itself with greater want of decorum; that because the King was actuated by a laudable wish to put an end to this scandal, an opposition was raised, such as only Philip II. had met with in the Netherlands, on account of the most excessive tyranny; and a pretended holy covenant was concluded, which however very clearly called to mind the means and the objects of the league. In Scotland, as in France, many had with precipitation, signed a document with the contents of which they were wholly unacquainted,

and of the consequences of which they were quite unable to judge; that, in the end, all tended to the complete overthrow of the royal power, and to the introduction of democracy in Church and State; nay, that the exaggerated puritanical doctrines of Knox, Buchanan, Goodman and others, unexpectedly and remarkably coincided, with respect to the rights of princes and people, with those of the Jesuits, which they professed it to be their greatest duty to combat. Thus Cardinal Bellarmine says, "In human states the power of the King is derived from the people, because the people makes the King. Properly speaking, the power is immediately in the multitude, which may, if there is well-founded reason for it, change the monarchy; into aristocracy, or democracy, Especially obedience is at an end, when a prince changes his religion. Such a one *may*, with the general assent, nay he *shall*, be deprived of the sovereign power." That in this spirit, unauthorized persons had already overthrown the King's laws, and without any official rank or commission, without waiting for the Parliament, or General Assembly, had placed their own arbitrary will upon the throne, declared every one who differed from them a heretic, openly affirmed that the Bishops must be hanged, and asserted that the most sanguinary war was better than the smallest error in the doctrine and discipline of the Church.

The Covenanters endeavoured to refute, or at least

to correct, these views ; and said : The liturgy which was introduced at Aberdeen by compulsion, and with a violation of all due form, can no more bind us than a new one imposed by the King; besides, the freedom of speaking and praying, left to the Clergy, or justly claimed by them, is more valuable, it comes more from the heart, and goes more to the heart, than an unalterable prescribed dead letter. If the King appeals to his conviction, every Christian has the same right in religious matters, and no English Archbishop may here act the Pope; nor can the King, whose temporal authority alone we acknowledge and have acknowledged, decide in spiritual concerns. If the points in dispute are indifferent, as some affirm, why are they enforced with tyrannical zeal? If, on the contrary, they are of great importance, there is double ground for complaint that no legal consultation and decision preceded. If petitions and remonstrances do not avail, if the King and the nobility will not put their hand to the work, the people may and must effect the reformation. And yet they have not exceeded the due limits in favor of the genuine doctrine, as the Bishops have done in their blind zeal for prejudices and errors. If the King sincerely assists us, if he renounces the error that every opinion differing from his own is a violation of his honor and rights, it will not be difficult to come to an understanding upon every point; for the King of Scotland is not subject indeed to any man, but certainly to the laws

of the Church and State which he has sworn to observe ; nay all christian Kings, since the overthrow of the Roman Empire, are in the same circumstances, and govern under this condition. But if our father the King and our mother the Church disagree, it will unhappily cost us, their children, many tears and much blood.

About this time some Bishops and Privy Counsellors hastened to the King, and explained to him by word of mouth, the state of things, more particularly than he had hitherto been acquainted with them. Various opinions were expressed respecting the measures to be adopted ; some affirmed that severity, such as even Queen Mary had exercised after the murder of Rizzio, would doubtless have put down all opposition ; others, on the contrary, represented that there were at that moment, no means whatever to obtain anything by force, however trifling. The Earls of Traquair and Roxburgh, therefore, proposed that the King, in order to preserve obedience in civil affairs, might yield in spiritual concerns, and endeavour to separate the agitators from the moderate. This proposal, however, was the less approved, as Charles considered the adoption of the new covenant as the most scandalous sedition ; and the Covenanters, on their part, confiding in their increasing power, demanded, on the 28th of April, the abolition of the liturgy and the canons, of the articles of Perth, and of the Court of High Commission ; the exclusion

of the Clergy from public offices ; the calling of a Parliament, and of the General Assembly of the Church, &c. &c. nay, the moderate Traquair soon afterwards bitterly complained of the folly of the people, daily more and more excited by seditious sermons, who demanded the exclusion of the non-covenanters from the sacrament, arbitrary deposition of Clergymen and Magistrates, &c. (9)

Instead now of taking a clear view of the state of things, and separating the impossible from the possible, the unjust from the reasonable, and following a straight course to a determined object, the Court went on from day to day, and hoped to conjure the storm by sending the Marquis of Hamilton as the King's representative to Scotland, with instructions to publish some royal proclamation, according to circumstances. (10) His first demand, that they should renounce the covenant, was peremptorily refused, and the more lenient declaration, that the liturgy and the canons should not be enforced in a manner not authorized by the laws, and that the Court of High Commission should be remodeled, appeared the less satisfactory, as a just suspicion arose that Charles was not sincere, and was merely seeking to gain time, in order to complete his military preparations, and then to carry his point without restriction. In fact his answers to several reports of Hamilton were to the effect that, if the Covenanters did not accept the above proposals made to them, they should be declared

traitors. He was sensible, he said, that force alone could compel obedience. For the present, Hamilton might feed them with hopes, that they might commit no follies, before he was sufficiently armed, and able to repress them. However reluctant he was to have recourse to it, and whatever disasters the employment of force might bring with it, he could not expose his crown and his honor; and this he wrote to him with no other object than to prove to him that he would rather die than grant such unreasonable and condemnable demands—for that to yield in these points, and soon afterwards cease to be King, was one and the same thing, and that as long as the covenant existed he had no more power than the Doge of Venice, but the more the Covenanters ventured to attempt, the more would his proceedings against them be justified.

While Hamilton was embarrassed by such equivocal directions, the Earl of Loudoun, a zealous covenanter, declared, on the other hand, that they knew of no bond of union between the King and the people, but those of religion and the laws. The new declaration of the Commissioner that if the Covenanters would dissolve, the King would suspend the liturgy, and limit the powers of the Court of High Commission, or else restore order by force of arms, led to a counter declaration that the King was wrong in wishing *only* to suspend the liturgy, and *only* limit the powers of that Court, that he was wrong in

calling a union condemnable which was legal, and which they would not renounce till religion and peace had been re-established by a free and comprehensive constitution of the Church. At the same time the Covenanters endeavoured to prove, in a pamphlet, that as soon as a prince behaved like an enemy of the truth, and was careless in promoting the good of the Church, the latter had the right to provide for itself and call a Synod.

Hamilton, who had been to London personally to make a report to the King on the state of affairs, returned on the 5th of August, and brought permission to call a General Assembly, if they would submit to the following conditions:—the restoration of the deposed Clergy, and the removal of those who had been arbitrarily put in their places; the retaining of the Bishops and their rights; the exclusion of laymen from ecclesiastical discussions; the re-establishment of peace, the cessation of all unusual meetings, &c. When Hamilton could not carry these and other demands, he reduced them to two points—first, that no laymen should vote in the General Assembly; secondly, that this latter should decide nothing contrary to the laws of the kingdom, but submit its proposals, only in the way of petition and representation, to the Parliament which was to be summoned. The Clergy would willingly have consented to the first proposal, in order to increase their own authority, though they were to divide it with the Bishops; but

the three other tables opposed, for they were by no means ready to renounce their own co-operation, and besides they not only aimed at theological changes, but also desired to connect with them and execute political changes. The acceptance of the second condition would have rendered the General Assembly essentially subservient to the Parliament, and was so totally at variance with the Presbyterian notions that it was rejected like the first. The hope that divisions respecting these points would arise among the Covenanters proved abortive; on the contrary, they resolved that every person should sign their Covenant, on pain of excommunication, and that if the King did not give a satisfactory answer by the 21st of September, they would summon the General Assembly by their own authority.

Hamilton again hastened to England, and prevailed upon the King at length to concede what he was no longer able to withhold. On the 9th of September, 1638, a royal ordinance was published, to the following effect :—That the Liturgy, the Canons, and the Articles of Perth were abolished, and the Court of High Commission suspended ;—the Bishops to be subject to the censure of the General Assembly ; every one to agree to the Confession of Faith and the Convention of 1580. On the 21st of November, 1638, the General Assembly is to meet, and Parliament on the 15th May, 1639. In conclusion, the ordinance says : As the more recent disturbances have not

been occasioned from dislike to the government and evil intentions, but merely from the fear of innovation in Church and Legislation, we will pardon and forget all that is passed.

The King had in fact now granted all that was at first demanded, and the more moderate expressed their joy without reserve, saying that any doubts which yet remained might be discussed and decided in the legal manner that was now offered. Others, on the contrary, remarked that this concession had been extorted from the King, and it was to be apprehended that, as soon as he felt himself strong enough, he would be the more likely to return to his preceding measures and ordinances, as this declaration was drawn up in such a manner that there was room enough for evasions and equivocations. It was in vain that some objected that there was a sufficient remedy for such a case in the power of the general sentiments of the people. The more zealous Presbyterians published an answer, in which it was said : The royal declarations cannot allay fear and suspicion, or heal the wounds in Church and State. The King is wrong to call this fear a panic terror, whereas it has been caused by important changes in the Church and State. Besides, the King has always laid such an excessive stress upon these innovations, that a mere suspension of them is not sufficient ; for the sake of future safety there must be a positive condemnation of them. The King indeed convokes

a General Assembly of the Church, but he at the same time deprives it of its liberty by introducing the Bishops as members of it, whereas they ought only to appear before it as persons accused. Besides, though the Confession of Faith of 1580 agrees on the whole with that of the Covenant, we yet cannot adopt it, because our latest union is thereby indirectly condemned—all the explanations, caused and rendered absolutely necessary by the circumstances of the times, fall to the ground; and because in that older declaration nothing is said of a common defence of our Church and our faith. Besides, such a change of Confession, and such a useless increase of oaths, would make us appear fickle and inconstant in the eyes of Protestants and Catholics, or at least give room to the interpretation, that together with the present constitution of the Church, an oath was also taken to Bishops, liturgy, and canons. Only the adoption and retaining of our Covenant removes all doubts, and includes the adoption of the Confession of 1580. On the other hand, if the last alone were to be insisted on, and the Covenant rejected, this would be as if, after adopting the whole Bible, one should afterwards swear only to the Old Testament, and say nothing of the New.

Soon afterwards the most vehement accusations against the Bishops, which were even read in the pulpits, were published. They were said to be guilty of simony, profanation of the Sabbath, perjury, incest and

heresy; nay, the foolish prophecies of old women and young girls against them and the King were treated as infallible, divine revelations. ⁽¹⁰⁾ It was only at the very beginning that some signed the King's Covenant of 1580, as it was called; but after Hamilton had not been able to obtain in the Privy Council a condemnation of the above protest, the majority returned to the new Covenant, and so many means were employed to elect only the greatest zealots for the new General Assembly, that the friends of the King looked with the greatest anxiety for its opening.

On the 21st November, not only 260 actual Members had met at Glasgow, but also, in spite of the prohibition, many party witnesses, voters, assessors, complainers, &c., so that an eye-witness relates, that "on account of the great crowd, the Deputies could not get to their seats, and impudent clowns made so much noise and uproar in the house of God, that if it had taken place in my house, I should most certainly have turned them out. Even the galleries were filled chiefly with women of various classes." Scarcely had the Marquis of Hamilton, after the conclusion of the sermon, caused his full powers to be read, when the right of voting in spiritual affairs was refused to him and the Royal Counsellors; and no regard was paid to the remark, that if this right was given to every elder of the Church, men high in office and entitled to it could still less be excluded on account of new and unfounded opinions.

A second dispute arose on the examination of the Elections, which Hamilton, on account of the abuses that had taken place, as much wished for as his opponents endeavoured to avoid it. Alexander Henderson having been unanimously chosen President, Dr. Robert Hamilton produced a protest from the Bishops⁽¹¹⁾ of the following tenor:—The General Assembly is illegal and without authority: for, 1. The Elections took place before any permission was obtained from the King, without the prescribed co-operation of the Bishops, and with the violation of many formalities. 2. Many of the persons present had, by resisting the royal concessions, committed a new and great fault, for which no pardon had yet been given. 3. The lay Elders not only decided the Elections by their numbers and influence, but even intruded themselves, contrary to all right, into the General Assembly, where at the most they may have permission to submit petitions, but by no means to vote. 4. The Members of the General Assembly, who, though they had sworn fidelity to the Bishops, yet for the most part condemned Episcopacy, could not be at the same time accusers and judges. On the contrary, the Archbishops and Bishops ordained by God are undoubtedly entitled to precedence, direction, and decision of the affairs of the Church. If then, so the Protest concluded, the Holy Fathers at the Council of Chalcedon decided that it was a crime, a sacrilege, to degrade the high dignity of the Bishops

to the lower rank of the priests, it would be quite absurd to subject the former to the judgment of the latter, or rather to a tribunal which, contrary to all the laws of the Church, consists half of Clergy and half of Laity. For the rest, the Bishops take God to witness they do not make this objection because they are conscious of a crime. On the contrary, they offer to give an account of their actions before their natural Judges, or even before his Excellency the Commissioner. But, in the present state of things, they could not be silent without sacrificing the interests of Religion, the rights of the Clergy, and the honour of the King. As a proof how far they are from wishing evil to anybody, they declare (whatever ill treatment may await them) that they are ready, after their innocence is proved, to resign their places into the hands of the King, and if possible to sacrifice their lives to allay this storm.

This declaration, which could not be refuted if Episcopacy was recognised, could not embarrass men who unconditionally rejected it beforehand, and considered the system of Presbyterianism as alone true and Christian. When Hamilton saw that the Assembly aimed at the overthrow of the whole Constitution of the Church, as it hitherto existed, and would allow the King no more right than a single member, he dissolved it on the 28th of November, saying, at the same time, that it was not proper that Laymen had often more votes in the Election of Deputies than the

Clergy, or entirely separated themselves from them ; and that the former, contrary to the ordinances of the Church and to reason, voted on the most abstruse theological questions. ⁽¹²⁾ Young uneducated noblemen, or minors whom the law declared incapable of managing their own affairs, decided in a manner never before heard of, on matters of State, the Church, and Church discipline. Nay, there were among those elected even persons outlawed and deposed, as well as persons who denied all Monarchy as unlawful. In the earlier Covenants, a supremacy of the Laymen and annihilation of the Episcopacy had never been thought of ; these fundamental errors must be abandoned, new and suitable elections must be made, and then the existing evils with greater safety and moderation might be remedied.

Henderson, as President of the Assembly, replied, that as the Marquis served his Master with affection and loyalty, it was on the other hand their duty to take care of the kingdom of Christ and of the Church. He put the following questions to the vote, whether the Assembly should proceed in its business notwithstanding the royal prohibition, and whether it should judge the Bishops ; and in the first heat, both were answered in the affirmative, though, as an eye-witness reports, many of them would probably have slept away if the decision had been left till the next morning. ⁽¹³⁾ Hamilton was, however, the less able to prevent it, as it was approved of privately by some of

the Privy Council, and publicly by the powerful Earl of Argyle, by which the courage of the Assembly was very much increased. They endeavoured to justify this conduct by preceding examples, and if some saw in it only proofs of former despotism they said that civil and religious liberty could not be preserved in any other manner. ⁽¹⁴⁾ For this purpose all the Bishops were deposed and proscribed, all Synods held under their direction rejected, the Book of the Canons and the Articles of Perth condemned, the Court of High Commission abolished, the participation of the Lay Elders in the affairs of the Church confirmed as a matter of divine right, and that of the Clergy in public affairs and in Parliament destroyed. The King and his agents, it was added, have no voice in the affairs of the Church, still less a right of deciding, but only the right of external superintendence. ⁽¹⁵⁾ No one can dissolve the General Assembly without its assent, and least of all before its business is concluded and grievances redressed. Everybody shall be bound to sign the Covenant, including all these new decisions; and no person, under very heavy penalties is to print any thing against it. ⁽¹⁶⁾ In July 1639 a new Synod shall be called, and the King requested to ratify its decisions.

In the address drawn up for this purpose the Assembly boasts of its moderation and impartiality, and then proceeds: We know that the best actions are often misinterpreted, but we may comfort ourselves

that Truth is the daughter of Time and closely follows Calumny, which sometimes gets the start of it, wherefore the latter is never admitted into generous and elevated minds. If his Majesty maturely weighs all that has been done in the General Assembly, we will consent to be called the most infamous of men, not worthy to breathe the air of our country, if it does not appear that we have done everything according to God's will, and with the most humble and loyal respect for his Majesty, whose honour, next to God, is what we hold most dear. We kept within the bounds of domestic improvements, expressed no blame of other Churches, and failed rather by too much mildness than by too much rigour in our decisions. This memorial of the 12th of January, 1639, was followed, on the 4th of February, by a circumstantial justification, addressed to all good Christians in England. To this the King returned, on the 27th February, an answer under the title of Declaration of his Majesty to inform all his faithful Subjects in England of the seditious attempts of some Scots, who, under the pretext of religion, aim at the total subversion of the royal authority. (17)

While some were of opinion that the King ought to yield implicitly in all religious matters, and not begin a contest with opinions and views which had already taken such deep root ; others, among whom were Laud and Strafford, affirmed that the Church and State were equally attacked by the Scots, and in

general that a career of sedition had been entered upon in which it was impossible to stop, and the final object of which was not to be seen. Besides, they would soon carry their demands beyond the limits of Scotland, and would force their mock wisdom upon the English, if the King did not interfere with all his power to restore order and obedience, as honour, justice, and duty undoubtedly commanded. While Charles, in conformity with these views, prepared for war, the Covenanters, by stratagem or violence, obtained possession of ammunition and royal castles, levied contributions, summoned all good Christians to arms, and entered into a closer league with France and Holland.

Already, in the year 1635, when Charles was inclined to Spain, Richelieu wished to cause him troubles at home, but none broke out at that time. In the sequel the Cardinal offered to the King and Queen his friendship and assistance against the malcontents, if they would not impede the enterprises of France against the Spanish Netherlands. The Queen, however, replied that Richelieu was not among the number of her friends, and that she required nothing of him ; and the King said, that he would not suffer an attempt upon Belgium, and that he required no aid to punish disobedient subjects, as his authority and the English laws were sufficient for that purpose. When Richelieu heard this, he exclaimed, " It will soon be found that I am not a man to be despised."

He sent the Abbé Chambers into Scotland to open negotiations with the Puritans. Many of the chiefs, who were actuated by political views, willingly accepted French money to attain their object; though this was kept secret from the zealous Covenanters, as they had even refused connections with the German Lutherans for fear of drawing down upon themselves the wrath of God.

In the Scotch army, commanded by Leslie, ⁽¹⁸⁾ there was much praying, singing, and preaching; but little attention was paid to military exercises, and many were doubtful whether such resistance to the King could be justified, till a declaration from him demanded entire submission on pain of treason, on which it was attempted again to establish the right of resistance. Meantime, however, as the Covenanters had many friends in England and at the King's court, a war between the two kingdoms seemed quite unnatural and even impious; and as the military resources of Charles were very inadequate, ⁽¹⁹⁾ peace was concluded, after short negotiations, on the 18th of June, at Berwick, to the following effect ⁽²⁰⁾:—The armies on both sides shall be disbanded, the fortresses and military stores given up to the King, the prisoners exchanged, property and ships placed under sequestration be restored, and all differences respecting the affairs of the Church and State be decided by the Synod and Parliament, to be summoned in August. The Scotch, on their side, now declared

that they had desired only to defend their religion and liberties, but they had never intended to make war upon England, or to entrench upon the authority of the King; and on the other hand the King affirmed that he had never designed to make innovations in Church and State, but only to defend his rights.

While many sincerely rejoiced at the re-establishment of peace, the English zealots were offended that the King had meanly sacrificed so much; and the Scotch that he had not accepted the Covenant and condemned the Episcopal system. In fact, the peace only terminated the contest for a moment, but decided nothing on the great points in dispute; consequently it was to be foreseen that the combat would begin anew in the Synod and the Parliament with the more virulence, as the Scotch took it for granted that all their wishes, and the King that his directions, would be acceded to and obtain the force of laws. Nay, even before the opening of those assemblies, a dispute arose about the meaning and contents of the peace; because the Scots, referring to verbal declarations of the King and his counsellors, made known through the press many points which they alleged had been secretly adopted, whereas the latter denied them, and caused the papers containing these assertions to be publicly burnt by the hangman.

The King's instructions for his new Commissioner, the Earl of Traquair, are on the whole very temperate, and everywhere manifest the wish for entire recon-

ciliation. But, on the other hand, the further correspondence of Charles with the Earl and the Bishops shews that he really was not disposed to go beyond his former concessions, or at least considered the protest of the latter against their abolition as a means and a handle to call in question, under more favorable circumstances, what had been decided, and to restore the former institutions. All the efforts of Traquair to obtain from the Clergy, who assembled in August, an alteration of their former resolutions, failed. He had reason to be satisfied that some passages were drawn up more temperately in respect to the Bishops, and more precisely with respect to the King. When he at length declared, in the name of the latter, that his Majesty, without regard to his own inclinations, and many other more important reasons, consented, from extraordinary goodness, that he, the Commissioner, to put an end to all dissensions and for the entire satisfaction of his subjects, should confirm the resolutions of the General Assembly at Glasgow, the greatest joy was manifested, ⁽²¹⁾ and the Synod declared before God and man, in its own name and that of the whole kingdom, that they had not the remotest intention to undertake anything against the dignity of the Crown ; on the contrary, they acknowledged that all their happiness depended on the well-being of the King, who was God's Vicegerent for the defence of religion and the maintenance of justice. That if he defended the charter, liberty, and

the laws, they would support him with their lives and fortunes, and on all occasions give proofs of their loyalty and obedience.

The Court party, and still more the Episcopal party, were very much dissatisfied with this result : the former affirmed that the Earl had arbitrarily exceeded his instructions, the latter at once stigmatised him as a traitor ; while he himself maintained that, under existing circumstances, this was the only way to prevent a new and open contest.

However, only one-half of the dispute was hereby settled, for the Parliament now to be opened was resolved to act for civil liberty as the General Assembly had for religious liberty. It drew up in succession the following Laws :—The Lords of the Articles shall no longer be elected in the manner hitherto practised, but by each Estate for itself ; the King grants no Scotch titles of honour to any foreigner not settled in Scotland, nor gives to any foreigner the chief command in towns and fortresses, without the consent of Parliament. This consent is necessary for every change in the coin. The Lord High Treasurer and the Lord Keeper of the Seals are not entitled by custom to a seat in Parliament. The right of the Privy Council and the validity of Royal Ordinances shall be more precisely defined. When the King was informed of these and similar proposals, he was very angry, and wrote to Earl Traquair : it seemed that salutary improvements were not

aimed at so much as the entire destruction of the royal authority ; he should therefore prorogue the Parliament till June 1640. When this was done, on the 14th of November 1639, the Parliament indeed obeyed, but appointed a Committee to attend to the business in the mean time, and declared that a prorogation of the Parliament before the business in hand was completed, not only was contrary to the assurance given in the peace of Berwick, but that, according to the laws and customs of the country, from time immemorial, the consent of the States themselves was necessary in this case. (2) It was equally a subject of complaint that numerous English garrisons lay in Scotch towns, and that the Scotch who traded in England and Ireland, or sought for offices, were required to take the Oath of Supremacy.

In order to represent these and other points to the King in the most earnest manner, the Earls of Loudoun and Dunfermline, with some other Scotch, repaired to London, where Lord Traquair had preceded them, and learnt by experience that, in times when passion prevails, equitable and conciliatory proposals offend both parties ; for, as the King was dissatisfied with him and Hamilton, the Puritan mob had insulted both, plundered many non-Covenanters, and broken Traquair's white staff, the badge of his office, in a riot. From the Courts of Justice no satisfaction could be obtained, except that a new staff, which cost sixpence, was bought for him. When the Scotch

Deputies came to London, the King did not speak to them, and in the sequel he even had them arrested. He believed that he had quite sufficient reasons for this conduct, and for renewing the war, and stated them in a royal Declaration to the following effect: The Scotch have circulated lying conditions of peace, and have not performed the genuine stipulations of the peace of Berwick; but have levied taxes, kept troops under arms, not duly delivered up fortresses, frequented unlawful assemblies, compelled the oath to the Covenant, insulted public officers, attempted innovations of all kinds, disregarded royal orders, &c. &c. By far the greatest stress was laid by Charles upon a letter addressed to the King of France, with seven signatures, which is as follows:—"Votre Majesté étant l'asyle et sanctuaire des Princes et états affligés nous avons trouvé nécessaire d'envoyer ce gentilhomme, le Sieur de Colville pour représenter à votre Majesté la candeur et naïveté tant de nos actions et procédures, que de nos intentions, lesquelles nous désirons être gravées et écrites à tout l'univers, avec un ray du soleil, aussi bien qu'à votre Majesté. Nous vous supplions donques très humblement de lui ajouter foi et créance et à tout ce qu'il dira de notre part touchant nous et nos affaires, étant très assure qu'une assistance égale à votre clémence accoutumée ci-devant et si souvent montrée à cette nation laquelle ne cedera la gloire à autre quelconque d'être éternelle-

ment, Sire de votre Majesté les très humbles et très obéissants et très affectionnés Serviteurs." (23)

These insults and dangers, continues the Royal Declaration, have compelled us, for our own honour and for the safety of our faithful subjects, to adopt measures before this cancer shall spread and infest our kingdom of England. At the same time, however, we protest before God and man, that we will never infringe the civil and religious rights of Scotland, but will observe the stipulations of the treaty of peace, and govern like a pious and just Prince. If the Covenanters, therefore, will acknowledge their excesses and crimes, and in a humble and submissive manner, like repentant delinquents, beg pardon for the past, and promise obedience for the future, we will think more of their repentance than of their rebellion, and show that we are more desirous for their reformation than for their destruction. In the contrary case, we hope that God, whose representative we are, and who is a God of Truth, and who severely chastises all falsehood and treachery, will no longer suffer his honour to be despised in our person, and insulted by gross hypocrisy, under the false pretext of religion. He will rather arise and scatter his and our enemies. With respect to the noble English people, whose glory it has been to be governed by Kings for so many centuries, we doubt not that all will like true subjects persevere in their attachment to

us and the Monarchical Constitution, and not suffer themselves to be deluded and seduced into anarchy ; but, after the example of our privy counsellors and servants, willingly support us in a just cause, in which our honor and safety, as well as their own, are so deeply concerned.

As soon as the Scotch were informed of these accusations of the King, and of his preparations for war, they complained most bitterly that senseless zealots had induced him to designate a whole nation as rebels, traitors, and hypocrites. They threw back upon their opponents the accusation of not having punctually fulfilled the conditions of the Peace of Berwick, and justified their measures by the duty of defending their religion, country, and laws, against the attacks of the episcopal Court party. If some individuals of the populace had been guilty of excesses, or if persons of distinction, through excessive apprehension, had gone too far, an inquiry might be made, and, if necessary, punishment inflicted.— But this must not be used as a pretext to make war upon a whole people, or to require it, in slavish submission, to sacrifice all that it had obtained, or trust for the future to arbitrary will alone. The King's repeated promise that he would maintain the Church and govern according to the laws, was an empty form, because his actions did not agree with it ; and by the Church, he understood the obtruded Episcopal Church, or aimed at its re-establishment,

and rejected all further imperatively necessary improvements of the legislation, as was evident by the late arbitrary prorogation of the Parliament.

With respect to the above letter in particular, many of the Scotch affirmed, in general, when every thing valuable is at stake, it is natural, nay lawful, to look for assistance; but a mistake to take it for granted that such assistance could be afforded only by arms, and not as well by intercession and mediation. Besides, that letter had never been officially drawn up, approved, or dispatched. The Earl of Loudoun, on whom the King was now obliged to lay the chief blame, confessed that he had drawn up the letter and sent it to his friends for their signature; but that it had been approved by a few only, rejected by others, and never sent to its destination. That if any blame attached to him on this account, yet as he had drawn it up before the Peace of Berwick, (which others denied) he was already exempt from accusation and punishment by the subsequent amnesty. The King himself said he had intercepted the letter, ⁽²⁴⁾ and Louis XI. declared, in May, 1640, to the English Ambassador, Leicester, that he had received no letter from the Scotch, that he had nothing to do with them, and would never assist rebels against their King. ⁽²⁵⁾ This declaration is hardly quite consistent with the truth, at least, it is probable that another copy of the letter came into the hands of Richelieu. ⁽²⁶⁾ The latter, however, did not manifest any

activity on that account, and it was not proved that any person in Scotland, besides Loudoun and his six associates, had taken any pains to effect a closer connection with France. Loudoun himself was arrested on the 11th of April, for the purpose of a stricter investigation, and the Court party, at the head of which were Laud and Strafford, considered the rebellion of the Scotch to be so evident and so fully proved, that they did not entertain a moment's doubt that all England was of the same opinion, and would most eagerly and zealously support the King, if he summoned a Parliament. But these men, swayed by violent opinions, knew neither men nor the state of affairs, and the notion of calling a Parliament did not arise by any means from a sense or conviction of political duty as Statesmen, but want of money, which, notwithstanding the most arbitrary measures, was such that it was not possible even to pay the civil officers and servants their ordinary salary, still less to defray the expenses of great military armaments. And, on the other hand, at this moment, when it was of the highest importance to pacify and gain the people's minds, the unvoted taxes, for instance the detested ship-money, were levied with the greatest rigour; and the Ecclesiastical tribunals proceeded without any indulgence, in order to show that the Court had full confidence in its cause and its rights, and did not think of summoning a Parliament from necessity.

When the King did at length call a Parliament to meet on the 12th April, 1640, the feelings and hopes which had hitherto been partly quashed or suppressed, revived with double force. Though the Established Church, for instance, had many adherents in England, the majority thought it inconvenient and absurd to attempt to force the Episcopal system upon another people with great expense and exertions. But above all, it was feared that the complete victory of the King in Scotland would for ever destroy the public rights of England which had been laid aside for ten years.

After Charles had opened the English Parliament on the 13th of April, 1640, with a short speech, the Keeper of the Seals, Lord Finch, made a long discourse, in which, with much that was good, there was also a great deal that was singular and absurd. He compared the King with Phœbus, and his subjects with Phæton, and said that the Parliament should beware of attempting to guide the chariot itself. Then followed bitter complaints of the disobedience, treachery, and rebellion of the Scotch; all which the King could not, and would not, by any means bear. Resolutions, he continued, which aim at improvements, give room for much discussion, in order to bring the truth to light and produce conviction; but if the question relates to necessary and evident measures, deliberation and delay are out of place. This

is exactly the state of affairs at present; wherefore the Parliament may lay aside all long discussion, and grant money; after which, the King pledges his word that all other matters shall be brought forward and discussed. The Lower House chose Mr. Granville for its speaker, on whose introduction Finch, for the second time, highly extolled the King, and then added, "cursed for ever be he who would make the smallest innovation in this happy government!" This exclamation was greatly applauded, because every one interpreted it his own way.

Though the King had represented the speedy granting of taxes for carrying on the war as a duty, and had besides produced Loudoun's letter as a proof of the greatest guilt, the first days of the session were passed in forming committees, receiving petitions, &c. and even after these preliminary affairs had been finished, the House of Commons still deferred the Scotch affairs, and affirmed that grievances ought to take the precedence of grants of money, and domestic dangers and wants of foreign ones. Benjamin Rudyard, who had already distinguished himself in former Parliaments, recommended mutual moderation on this occasion, and said, "Princes are jealous of their power, and nations of their liberties; but affairs do not go on well unless both are kept within their due bounds." Pym spoke on the following day, the 17th April, to the same effect, and proceeded on the principle that the King could do no wrong, but this by

no means hindered the calling of responsible officers to account, and circumstantially stating the grievances by which the privileges of Parliament, of religion, and of the subject, had been violated. Pym accordingly complained that Parliament were dissolved before they were able to state their grievances, though a criminal condemned to death was allowed to speak before he was executed. Several members of Parliament were arrested, contrary to the undoubted liberty of speech, and had been interrogated and punished by incompetent judges. Roman Catholics had been relieved from the operation of the laws, favoured, and placed in offices; the printing of dangerous religious books had been permitted; Protestants persecuted for matters of no importance; the ecclesiastical jurisdiction extended; exorbitant rights given to the arrogant Bishops, and the usages of the Church arbitrarily altered; monopolies had been granted; the forests extended; merited punishment bought off; Courts of Commission introduced; soldiers quartered on the citizens; taxes of many kinds levied without being voted; the doctrine of passive obedience advocated; and Mainwaring, its defender, promoted, without regard to the objections of Parliament. The chief grievance, concluded Pym, is doubtless the not assembling of the Parliament, which, by the ancient unrepealed laws, ought to meet every year. This is the more injurious, because the best and most salutary means of strengthening all

the bonds of affection and confidence between the King and people is lost, so that the people cannot produce their petitions, nor the King provide for his wants in a legal manner.

Almost all the grievances here enumerated were so founded in truth, and the facts complained of so contrary to the laws, that the House of Commons, in the next following days, appointed several committees, in order, after a more careful investigation, to draw up a statement of grievances to be laid before the Lords and the King. Under these circumstances the King summoned the two Houses to Whitehall, on the 21st of April, caused the Lord Keeper of the Seals to acquaint them that they ought to be the more prompt in granting supplies, as in the sequel they would either be of no avail or must be much larger. In the same manner, he said, Ireland, confiding in his word, had on the second day after the convocation of the Parliament, granted him six subsidies. The King had never intended to make ship-money, which had been particularly mentioned, a regular annual revenue, but had levied and expended it only as a temporary measure for the general good. At the conclusion of his speech, the Lord Keeper said, "His Majesty commands me to tell you that you can propose nothing for the security of your property and liberties which he is not ready to grant. He has shown you motives, means, and ways, to make this a most happy and blessed

Parliament, if you demonstrate to him on your side good will and confidence ;—this will oblige him, and secure you more than anything which suspicion and jealousy can devise.”

In the discussion of this Royal Message, which took place on the following day, very numerous attacks (indications of the future) were made upon the Bishops. Formerly, it was observed, the Prelates were often useful mediators between the King and the people ; now, on the contrary, they pretend to be more active than their predecessors, and wiser than the laws. Thus they have discovered a new and better form of Constitution, by which the King is to be absolute ; and they require much gratitude for this invention, though they thereby bring him into a thousand difficulties, and alienate the hearts of the people from him.

The result of the debates was the more favorable to treating of the grievances before the grant of supplies, because many members were secretly quite averse from a civil war with the Scotch, and were least of all disposed to have them put down by English money and an English force, before the public law of England was more firmly consolidated and recognised.

The King, much incensed at all these proceedings, unexpectedly went to the House of Lords, on the 24th of April, called upon it to hasten the supplies, and conjured the Lords, accusing the Lower House,

not to join it, but to leave it to its own course and fate. For, if the supplies did not come in, in due time, he could not tell what mischief would ensue. After some hesitation, the Lords, in a conference with Deputies of the Commons, recommended the hastening of the supplies, and said, they by no means desired to trench upon the rights of the Commons, or prescribe to them any line of conduct; but as members of a body—from love to their country, and to perform their duty to the King—they however thought it advisable to take his wishes and proposals into consideration in preference to any other subject. The Commons, displeased at the King's very unusual proceeding, and at the complaint made at the same time, sent word to the Lords, through Pym, that interference of this kind was undoubtedly a violation of all custom and right; they requested, therefore, that they would in future take no notice of any matter pending before the House of Commons till it was communicated to them, and the Commons would observe the same rule with respect to the Upper House. The King saw that his impetuosity had betrayed him into an injurious precipitation, and the House of Lords contented itself with declaring that it was no breach of the right of Parliament to hear a speech made by the King, and to communicate it.

Among several royal propositions now again addressed to the Commons, the last was to the effect that if they would grant him twelve subsidies, pay-

able in three years, he would give up the ship-money, and leave the Commons time to bring forward their grievances in this and the following sessions. Twelve subsidies might amount to about 850,000 pounds sterling, and were perhaps not too great a compensation for the revenue renounced, and certainly not too large to meet the impending expenditure. The King, however, had authorised Vane, the Secretary of State, in case the proposal could not be carried, to reduce the demand to, it is said, six subsidies. At the commencement of the debates, Hampden put the question thus: Whether the House would approve of the King's proposal as it was contained in the message. But as this mode of putting the question appeared captious, Mr. Hyde, afterwards Earl of Clarendon, proposed that they should first answer the question, whether money should be granted to the King, with "Yes," or "No," and afterwards deliberate what would be the best mode of doing it. This more precise mode of proceeding would probably have been approved, had not Vane, and Herbert, the Attorney General, declared that the King would accept nothing, if they did not grant him all. This arrogant declaration offended many, and embarrassed the debate in such a manner that the House broke up at five o'clock in the afternoon, in order, if possible, to come to a final resolution on the following morning.

According to some accounts, those officers considered the King's demand as proper, and thought to

obtain more by firm conduct. According to others, Vane acted maliciously, or even treacherously, wholly suppressing the King's declaration that he would be contented with a smaller grant, and purposely striving to cause an open breach. But, at all events, the affair was by no means rendered desperate, or concluded, by Vane's having made that declaration on the 4th of May, either with or without orders; on the contrary, the King might very easily have corrected any mistake on the following day, and have caused the debates in the House to be continued in an amicable manner. Instead of this, Charles summoned both Houses on the 3rd of May, and said, addressing his discourse, however, entirely to the Lords:--
“ However disagreeable the occasion is which leads me to enter this House, I must acknowledge that the Lords have so readily listened to me, and have shown me so much attachment, that it is not their fault, any more than it is mine, if this Parliament does not come to a happy end. Great stress has been laid upon grievances, and I allow that some exist; but certainly by no means so many as is affirmed. I am also ready to redress them, and that rather out of Parliament than through it. In the same manner I will maintain the English Church, as it has been constituted, with or without the Parliament. To delay is the worst mode of refusing; however, I do not ascribe the blame to the whole House of Commons, for only the malicious stratagems of a few

sedition men have led to these misunderstandings. With respect to the liberties of the people, for which so much pretended apprehension is felt, no King was ever more concerned than I am for the security of property, personal liberty, and true religion." To these words the Lord Keeper of the Seals added: "My Lords, and Gentlemen of the House of Commons, his Majesty the King dissolves this Parliament." (27)

In a detailed justification, issued immediately afterwards, the King reproaches the House of Commons with useless delay, unbecoming examination of his mode of government, improper attempts to place him and his officers in an odious light, culpable presumption, as instead of granting the supplies at once they wanted to negotiate with him and extort concessions; lastly, malice, cunning, and the endeavours of the leaders to attack and shake the State and Church in their essential foundations. Some members of Parliament were arrested immediately after the dissolution, their papers examined, and proceedings commenced against them, in the same manner as on a former occasion, which had been so severely blamed.

This dissolution of the Parliament was, without all doubt, the most precipitate, the most foolish and unjust measure that the King could possibly have adopted at this moment; and it is an evident proof of the narrow views and infatuation which then pre-

ailed, that in the whole Privy Council only two men, the Earls of Northumberland and Holland, opposed it. Vane participated in the fault; but no blame was at that time laid upon him, and he was suffered to retain his office and dignities; while Mr. Windebank, the Secretary of State, wrote, "The dissolution is a great misfortune, but was the only course to be taken, and the King can justify his conduct before God and the whole world." All well disposed persons in the whole kingdom lamented the immense mistake, and it was welcome only to the King's enemies, because they were convinced that no Parliament would proceed, without new and greater provocations, to the object which they had already proposed to themselves.

"I heartily rejoice," said Haslerig, "that the King dissolved the Parliament;" and St. John said, Things must become worse before they are better. An assertion which often occurs in revolutionary times, and which generally seeks to hide political nullity and moral indifference under the appearance of prudent foresight and magnanimous courage.

On the dissolution of Parliament, the question arose whether the Convocation, which was summoned at the same time, was thereby put an end to, or whether it could continue its proceedings and come to independent resolutions. Some lawyers, who were consulted on the subject, answered the question in the affirmative on the strength of precedents, others

denied it, alleging a later law of the reign of Henry VIII. The first opinion was approved by Laud and the King. Many of the resolutions now adopted would perhaps have been received with approbation, in more tranquil times. It gave offence, however, that the immutability of the whole doctrine and constitution of the Church was laid down as the Supreme Law, and was to be confirmed by a new oath. ⁽²⁸⁾ Nay, that the Clergy, going beyond their sphere, taught the divine unlimited right of the King in Church and State, in such a manner that no powers of the Pope or of the people existed, and the duty of passive obedience was not to be violated either by attack or defence. Every Clergyman was, on certain fixed Sundays, to declare and defend from the pulpit these doctrines, which indirectly annihilated the right of granting the supplies.

The King readily confirmed these resolutions, and thought himself strong in his union with the Bishops, while the people became more and more violent and attempted to storm the palace of the very unpopular Archbishop Laud. ⁽²⁹⁾ At the same time, the hopes of the Scotch increased of spreading their notions in England; for they were accurately informed by their friends and deputies of the course of public affairs there, and received promises, partly sincere and partly delusive, of future support, if they should unexpectedly meet with considerable resistance.

When the King prorogued the Scotch Parliament

almost at the same time with the English, the former paid no regard to it, but met of its own authority, in June, 1640, referring to former examples, and proved in polite language the necessity of an immediate discussion of the public affairs. This led to a refutation of all the accusations lately made by the King, to the adoption of almost all the propositions of the preceding year, and a confirmation of the ecclesiastical resolutions. Instead of the Clergy, newly-elected Laymen were admitted into the Parliament, arbitrary Proclamations declared not to have the force of law, the Privy Counsellors made answerable and dependent on the Parliament, taxes imposed for the defence of the country, and the royal authority confided, *ad interim*, to a Committee of the Estates. It was further decided, that nobody should be declared a rebel or a criminal unless by a resolution of the Parliament, or by the sentence of his legitimate judges. Thus the King came at the same time to an open rupture with Scotland, and the most serious differences with England, because he obstinately adhered to abstract principles, and never accurately comprehended the state of the ever-changing, agitated world. A just sovereign, as Charles so often calls himself, would have become reconciled to both nations; a prudent one, at least gained the friendship of one of them; at present, nobody was on his side, except those flatterers who declared arbitrary will to be legal, and most erroneously ascribed to it invincible power.

This disposition to arbitrary proceedings was manifested in contradiction to the King's declaration after the dissolution of Parliament, in the levying of soldiers, and taxing all classes by his own authority. He not only had recourse to the old financial measures, which have already been enumerated and censured, but in proportion as the want of money became more urgent, proceeded, with a bold disdain of all legal means, to more violent and unjust measures, as the following extracts of the reports of French Ambassadors and English Statesmen, sufficiently prove. M. de Montreuil writes on the 24th May, 1640, ⁽³⁰⁾ " Scarcely had the King dissolved the Parliament when he found himself embarrassed how to pay the army, and therefore sent on Friday for the Mayor and Aldermen of London, demanded of them a loan of two millions, and gave them time till Tuesday to consult on the ways and means of raising it. But he sent for them again on Sunday, when the Mayor answered him very ingenuously that he was endeavouring by all means to obtain the money, but submitted to his Majesty whether it was advisable, in the present state of things, to employ force against the people. Hereupon the King summoned four of the four and twenty Aldermen of London, and ordered them to give him the names of the richest persons. Instead of this, they answered that this was impossible, because in trade and commerce everything was fluctuating, and it could not be known

which merchants were rich, and which were poor. This answer displeased the King so much that he caused them to be confined in four different prisons."

On the 14th of June, and the 26th of July, Montreuil writes: "There are daily disturbances in the Counties, chiefly on account of the Soldiers. The inhabitants of Kent, Essex, and other places refuse to serve by sea—the Militia of Oxford will not serve either by sea or land—the Soldiers in Somerset have ill-treated their Colonel Lansfort—the recruits raised in Dorsetshire have thought fit to kill, and to hang up by the legs, Lieutenant Moore, who treated them rather rigourously—in Suffolk, some soldiers have put on their shirts over their clothes, and represented and ridiculed the Archbishop of Canterbury and the Court of High Commission. Notwithstanding these symptoms, workmen are daily carried off from their shops, and taken on board the fleet destined against Scotland—warlike stores are daily embarked—the soldiers are sent to the frontiers—and the Generals are making preparations for their departure.

"Of the money belonging to private persons and Spanish Merchants, which the King had put under sequestration in the Tower, two-thirds have been spent from absolute necessity, and he has only about £40,000 remaining. Of all the injudicious counsels of Strafford, this is blamed almost more than any other, because, for the sake of a small temporary advantage, it excited the displeasure of the people and

deprived the King of a larger revenue connected with this traffic. But that mildness appears almost more absurd, which so much reduces the original profit, and yet suffers the grounds for complaints, and the fear of similar acts of violence to subsist in all their force. It is proposed to coin those £40,000 into money, mixing three quarters copper, and thus making £160,000; but, not to mention that the people now generally disapprove of what is done, the citizens already declare openly that they will never take such depreciated coin at its full nominal value. Yet this proposal, without regard to violent opposition, has been carried by Strafford, on which occasion, as often happens to him, he fell into a violent passion. Thus, a week ago, he called the Mayor of London a traitor, and summoned him before the Star Chamber, because he did not collect the ship-money. In the second half of July, the King renewed, in a letter, his demand of a loan of two millions of pounds, that he might not be obliged to depreciate the coin. If they refused this application, he should be compelled to take extreme measures, and do things to which he was averse, and which they would not like to hear. When the Mayor had read this letter aloud, he called upon the persons present to comply with the request of the King: notwithstanding this, having previously given their votes, they answered they could not do what the King required of them." "On Sunday last, —writes Montreuil on the 13th of September,—the

Secretary of State, Cottington, surprised the Members of the East India Company, who were assembled to debate on the sale of their pepper, and had resolved to sell it to several private persons for 700,000 francs, payable in four instalments. Cottington said to them that he sequestrated all the pepper in the name of the King, who would take it on the above conditions. He added that the King was not obliged to them for it, but they, on the contrary, owed him thanks, because he intended to employ the money produced by this pepper for the preservation of their property, their lives and their liberty, of all which the Scotch wanted to deprive them. On this occasion Cottington spoke of the latter in very injurious terms, but received from the merchants only the answer that as all the persons interested were not present, of course no resolution could be taken at this moment."

From other sources, it appears that the King immediately sold the pepper, purchased on credit, below the purchase price, levied ship-money as before, and dispensed Catholics, on payment of money, from the observance of the laws. All this, however, produced but little; on which account Charles wrote to his Ministers that if they could only hold out till the end of August, he hoped for a successful termination of the Scotch war, for that through the internal dissensions of the Rebels, and the impatience of the people under the intolerable burthens, the prey was ready to drop into their hands, and that it would be a pity to

miss it for want of money. In several letters and reports of the Keeper of the Great Seal, Cottington, and the Treasurer Windebank, they say, the merchants and citizens complain bitterly of the plan of coining bad money; but your Majesty has no reason to regard this, as they certainly will not lend you any. Before your departure, your Majesty rummaged every corner where there was any hope of finding money; but to employ coercive measures in these disordered times appears to the Lords, on account of the dangerous consequences, very hazardous. The Mayor is such a beast, and the Aldermen, his brethren, such cattle, as they will be neither driven nor go for themselves.

Notwithstanding this extreme pecuniary distress, such numerous mutinies of the soldiers, such general dissatisfaction at the approaching war, the King caused prayers to be put up in all the churches for the success of his arms, and on the 22nd of August issued a declaration of the following tenor: The Scotch have rejected all clemency have sought, under religious pretexts, to undermine the royal power, and hostilely attacked England. If however they confess their crimes and solicit pardon, it shall be granted them; otherwise every one who is guilty shall suffer the merited punishment of treason and sedition.

Two days previous to this royal declaration, the Scotch, to the amount of 20,000 foot and 2,500

horse, entered the English territory, observed at first strict discipline, and met with a friendly reception. But want soon compelled them to live at the expense of the country, whereby the Roman Catholics especially were excessively burdened, nay plundered. They printed declarations, in order to prove that they defended God, religion, and liberty, and that the attack was commenced by the ill-advised King. ⁽¹⁾ Soon afterwards, they required the confirmation of their previous resolutions, the revocation of the above accusations, and the calling of an English Parliament to establish peace between the two kingdoms.

More seemed to depend on the use of arms than on written declarations. Though the soldiers in the Scotch army were for the most part inexperienced, they had good officers, and bore, as a sign of their enthusiasm, the Scotch arms in their standards, with an inscription in letters of gold—"For Christ's crown and the Covenant." The Earl of Northumberland, the King's commander-in-chief, was generally ill, and Conway, the commander of the cavalry, through unskilfulness and cowardice, suffered himself to be so defeated at Newburn, that the Scotch were able to occupy Newcastle and Durham, and the King was obliged to retreat to York. His army, indeed, still amounted to 16,000 infantry and 2,000 cavalry; but they were nothing less than inclined to fight, and it was feared that, from the impossibility of

punctually paying and supporting so great a number for a long time, most of them would desert.

In this distress some persons, recollecting former examples, thought of summoning the Lords to York, and most of the Counsellors assented to this opinion, partly because they saw no other resource, and partly because they hoped that this would be the quickest means of obtaining money. Persons of more penetration, however, remarked that the Lords would certainly speak of nothing, and propose nothing better, than the summoning of a Parliament. This measure would certainly be attended with inconveniences and dangers, but yet it was doubtless wiser to govern according to the laws and the general wish, than longer to submit to the present embarrassments, and at the end to have this resolution extorted by the Rebels. Twenty Earls and Barons presented a remonstrance in the same spirit against the war and the mode of government hitherto followed, and this was succeeded by similar addresses from London and other parts of the kingdom.

In this distress and confusion, says Lord Clarendon, between a proud enemy rendered presumptuous by success, and an army, if not wholly seduced, yet discouraged, in a seditious country inclined to the Rebels—amidst reluctant courtiers and officers, and with a Treasury entirely empty, the Convocation of the Lords was resolved on as the nearest resource, by which in fact the summoning of a Parliament was

likewise decided. Accordingly Charles declared, on the 24th of September, to the Lords assembled at York, that he had resolved, by the advice of his Queen, to summon a new Parliament for the 8th November, 1640 ; but that at the present moment, they had to decide what answer should be given to the proposals made by the Scots, and how the army should be supported.

After much disputing, an armistice with the Scotch was concluded at Ripon, on the 10th October, on the condition that £.850 daily should be paid to them for two months at least, for the subsistence of their army. (2) Thus the King, who was not able to pay *one* army of his own, undertook to provide for the subsistence of a second, of the enemy ; or rather the fate of the two armies and the terms of the Peace to be concluded with the Scotch at London depended entirely on the English Parliament, and no longer on the King.

NOTES.—CHAPTER I.

(1) Page 2. The electors were free tenants of the Crown, who had an income of 40 shillings per annum, and resided in the County. *Brodie*, Vol. I. p. 428.

(2) Page 14. According to the “Memoires de Madame de Motteville,” Laud entertained the mistaken notion that the commencement ought to be made with changes in Scotland.

(3) Page 16. Even Laud himself confesses that some Bishops “went not the right way.” *Laud Troubles*, p. 75.

(4) Page 17. According to Burns, the stool was thrown by an old woman named Janet Geddes. *Israeli*, Vol. III. p. 469.

(5) Page 18. Guthrie, Mem. 20, affirms that the tumult did not arise accidentally, but was the result of measures concerted between some Clergy and Nobles.

(6) Page 22. Even Montrose, among others, voted to this effect. *Guthrie*, Vol. IX. p. 235.

(7) Page 23. The zeal was so great, that Baillie p. 10 says : “No man may speak anything in public for the King’s party, except he would have himself marked for a sacrifice to be killed one day.”

(8) Page 26. Some, in the excess of their zeal, signed their names with blood. *Guthrie*, Vol. IX. p. 238.

(9) Page 31. Miscell. State Papers, Vol. II., pp. 101—107. The University of Aberdeen compared the Covenant with the French league. *Guthrie*, Vol. IX. p. 239.

(10) Page 31: Hamilton (who was naturally of a serious and melancholy temperament) was fully sensible of the difficulty of his situation, and that he would displease both parties.

(10) Page 37. Thus the daughter of a clergyman named Milchesden prophesied against the King and for the Covenant. *Sanderson*, p. 244.

(11) Page 38. This proceeding of the Bishops was blamed as arrogant and imprudent, and Hamilton himself was not satisfied with it;—at least he writes, on the 27th November, 1638, “that he had been by the Lords of the Clergy grossly abused, for bringing in those things, not in the ordinary and legal way.” But what way was that? *Miscell. State Papers*, Vol. II., p. 114.

(12) Page 40. When each Congregation sent a Lay Elder entitled to vote the Clergy were always in the minority.

(13) Page 40. “If it had been delayed till the morrow, it is feared many would have slipped away.” *Baillie*, p. 118. The sittings continued from 10 or 11 o’clock till 4 or 5. “So we are all relieved of the expense of a dinner.” p. 101.

(14) Page 41. They identified their case with the preservation of civil and religious liberty. *Cook*, Vol. II. p. 469; *Neal*, Vol. II. p. 282; *Monteth*, p. 40.

(15) Page 41. Grotius, in reference to the above proceedings, wrote to Oxenstierna: “Nunquam vidi bellis civilibus meliores fieri homines, qui verus est Ecclesiæ nitor, quod præcipuum Deus et spectat et postulat.” *Grotii Epistolæ*, p. 1127.

(16) Page 41. The Assembly dissolved itself on the 20th December. *Cook*, pp. 472 501.

(17) Page 42. The King complained of scandalous libels, transgression of his orders, preparations for war, refusal of the oath of supremacy, &c. The latter had no legal force in Scotland. *Bibl. Regia*, pp. 175—177.

(18) Page 44. It was said that Leslie was discontented because the King had not made him a Peer. *Howell*, Vol. VI. p. 38.

(19) Page 44. In this war I never heard of so much as one louse killed by either army. *Lilly, Hist. of James I. and Charles*, Vol. I. p. 37.

(20) Page 44. The King was very sober, meek, and patient. *Neal*, Vol. p. 239; *Baillie*, p. 180. The King's general, the Earl of Arundel, possessed neither experience nor military talents, and was indifferent to the disputes about the Liturgy. Hamilton also wished for peace. *Warrick*, p. 113; *Sanderson*, p. 250; *Rushworth*, pp. 83—946; *Hardwicke*, Vol. II. pp. 136—138.

(21) Page 46. After the conclusion of the peace at Berwick, Lords Kinnoul and Ruthven, as the promoters of it, were pelted with stones by the *devout wives* in Edinburgh, to quicken their zeal. *Guthrie*, p. 51.

(22) Page 48. It was not the same in Scotland as in England. Vol. I., chap. 2, at the beginning.

(23) Page 50. Nalson, Vol. I. p. 276. According to Burnet, Vol. I. p. 44, Montrose drew up the letter, and wrote *rays* (a fish,) *du soleil*, instead of "ray," or "rayon du soleil."

(24) Page 52. Traquair had obtained the letter for the King, for which reason he was afterwards accused as the grand incendiary. *Rushworth*, p. 956.

(25) Page 52. Chambers, a Scotchman, Richelieu's chaplain, conducted many secret negotiations. *Sanderson*, p. 287; *Lingard*, Vol. X. p. 85; *Guizot*, Vol. I. p. 189.

(26) Page 52. It seems that only a duplicate came into the hands of Charles, and one copy to Paris.

(27) Page 62. This was called the Short, by way of contrast with the Long Parliament. *Ludlow*, p. 4.

(28) Page 64. It gave just offence, that the form of the oath had an "et cætera" annexed to it. *Orme, Life of Baxter*, Vol. I. p. 26.

(29) Page 64. On the 9th of May placards were posted up, inviting the people to plunder the palace of the Archbishop. The attack was, however, repulsed; many who had been made prisoners were rescued by their companions, and only one of the ringleaders was hanged to deter others. *Collier*, p. 722; *Epistolæ Theologicæ Præstantium Virorum*, p. 558; *Rushworth*,

p. 1085 ; *Seneterre Ambassades en Angleterre*, Vol. I. fol. MSS. de St. Germain, Vol. 773, in the Paris Library.

(30) Page 66. *Ambassades en Angleterre*, St. Germain, MSS. 765.

(31) page 71. The Scots pay (at the beginning) for all they take, unless they meet with a recusant, and then they plunder. *Letter of Vane*, MS. Coll. State Papers, II. 158.

(32) Page 71. It was also determined that the Scotch, if the money were not regularly paid to them, might levy it in certain counties. Military preparations were not to take place during the armistice ; private injuries were not to break it, and there was to be a free trade between the two countries. *Monteth*, p. 61 ; *Nelson*, p. 463.

CHAPTER II.

From the Opening of the Long Parliament to the breaking
out of the War between the King and the Parliament.
[1640—1642.]

WITH the exception of the narrow-minded zealots who fancied that England could and ought to be governed without a Parliament, the nation manifested the greatest joy at its being convoked. But at the same time the contrast of views and principles between the advocates and adversaries of the King became stronger and stronger. The former said, the King has been led into wrong measures, not by design and bad intentions, but by distress and error, and being now taught by experience, neither can nor will ever fall into them again. He has accordingly abolished many oppressive monopolies and privileges in April last year, and set at liberty all persons who were imprisoned for not obeying the Ordinances relative to taxes. Evils exist, and it is proper to remedy them, but with moderation and confidence, and without forgetting that England enjoys many most important advantages before other countries. Thus Spain, Germany, and Austria are higher taxed;

France flourishing and peaceful without a Parliament; and the power of the King, which is already very much diminished, cannot be further limited without injury to all parties. To this it was replied,—“It is not distress that compelled the King to such mistaken measures; but absurd principles, obstinately defended, have led him to illegal and imprudent steps. It is nothing but the utmost need that now apparently brings him back to a right course; but in truth he has neither changed his opinions, nor become sensible of the wrong he has hitherto done. As long as every temperate remonstrance is followed by a dissolution of Parliament and arbitrary arrests, every refusal of supplies by violent extortions, every legal opposition by accusations of treason and sedition, nothing, or next to nothing, is done or gained to place public affairs on a good foundation. With the argument that it is worse in other countries slavery of every kind might be justified, or at least excused, and therefore arguments of so little weight ought by no means to determine the measure and the object of our exertions. If precipitate changes sometimes injure freedom, cowardly patience certainly leads to tyranny, and the good that still exists is more frequently ascribed to decayed institutions than really derived from them. It is our task to turn to practical advantage the more enlarged views of civil liberty and public law, to remedy existing abuses, and to place indispensable ameliorations on so firm

a foundation that despotism may never be able to destroy them."

Neither of these opinions was altogether destitute of truth, and if the first seems to derive double effect from subsequent events, yet we must not forget that at that moment the danger did not appear to come from the oppressed Parliament, but from the King; and the most faithful of his friends, such as Hyde, Falkland, Capel, Grimstone, also recommended essential changes in the laws and in the administration. Nay, while some, more from timidity and prejudice than from profound insight, prophesied nothing but evil from the prospects of revolution which they foresaw, others said, those who fear insurrections of the people are like children who are afraid of a death's-head cut out of a turnip with a candle in it. At all times there are over ardent zealots, but they do not become dangerous till the numerous and moderate part of the people have real cause for discontent.

In consequence of the prevalence of these various opinions, the Court had not been able to exercise much influence on the Parliamentary elections, and they were differently judged of according to the different points of view from which they were contemplated. Rusdorf says, that among the persons elected, some were uneducated, unacquainted with the arts and sciences, some really enthusiastic for the rights of the people, and some were mere mob

orators. Among those of higher rank many looked down in contempt upon the people, as if they were born merely to obey, and but few found the true medium. By far the majority of the members of Parliament were certainly men who were resolved, to the best of their knowledge, conscientiously to promote the honour and happiness of their country; and, though we are not disposed to cloak and excuse their subsequent errors and crimes, we are, on the other hand, equally remote from joining in the sweeping sentence of condemnation which has sometimes been undeservedly pronounced against them, under the cover of greater penetration and purer morality. Even in the House of Lords several joined the popular party: such as the Earl of Bedford, a rich and prudent man, who probably wished to raise himself and his friends, but not to overthrow the Court; Lord Say, poor, but dexterous and ambitious, and from conviction an enemy to the established Church; Lord Mandeville, though not austere in his way of life, yet a great friend to the Puritans; Lord Essex, partly gained by his flattery. The leaders of the House of Commons displayed more intellect and character, though scarcely one of them appears free from the prejudices and passions of those agitated times. Pym was a man of experience, knowledge of business, and eloquence; St. John, the friend of Bedford, reserved, and of an austere gloomy disposition of mind; Hollis, open and violent in his friend-

ship as in enmity ; the younger Vane overheated by religious enthusiasm, clear-sighted in the choice of means, immoderate in his objects ; Hampden well versed in the laws, possessed of great prudence and self-command, seldom speaking, yet everywhere exercising influence ; uncommonly dexterous in plausibly and imperceptibly obtaining the triumph of his own views, or at least in discomfiting those of his opponents.

It was doubted for a moment whether it would not be more advisable to assemble the Parliament out of London, for instance at York ; but the majority thought it more advisable that it should meet at a greater distance from the Scotch frontiers, and not to manifest any distrust towards the mighty capital by deviation from established custom.

On the 3rd of November 1640 the King opened the Parliament with a speech, in which he said : (')
" The knowledge which I had of the demands of my Scotch subjects induced me to summon the last Parliament, and had I then been believed, matters would never have come to the situation in which we now see them ; but it is no wonder that men are so backward to persuade themselves that such a great sedition would arise from such a small beginning. Now, however, when the honour and safety of the kingdom are at stake, I am resolved freely and openly to throw myself on the love and attachment of my English

subjects." After the King had stated the repulse of the Rebels and the redress of real grievances as the two principal objects for calling the present Parliament, he concluded with these words: "I wish that you, like myself, may banish suspicion and mistrust—at least it shall not be my fault if this Parliament is not a happy one." Lord Keeper Finch in his speech praised the King and Queen in an exaggerated, at least unsuitable, manner; justified the assembly of the Lords in York, which was meant only as preparatory to the convoking of Parliament, which had been determined upon; stated at length the affairs of Scotland; and proved, from the engagements entered into at Ripon, the necessity of putting a speedy end to the differences, and of granting supplies.

After the House of Commons had chosen for their Speaker, not Thomas Gardiner, who was favored by the Court, but Lenthall, who is praised by some, while others blame his narrow-mindedness and ignorance, it proceeded to the examination of the elections, and declared all null and void when the person elected had by word or deed supported any illegal proposal, or had derived advantage from it. (²) While the majority commended this proceeding as just, some observed that it was extremely difficult to determine where illegality began or ended; and, besides, this whole examination was properly not the business of the House, but of the electors. Some blamed the

speeches of the King and the Lord Keeper ; above all, it was thought censurable that the Scotch were called Rebels, notwithstanding the conclusion of peace, and the good reasons that were given for their resistance. In order to allay this unfavorable disposition, the King, on the 5th of November, attempted to justify this expression, or at least to excuse it, by observing that it was proper as long as the Scotch were in arms against him.

Two days later, that is on the 7th of November, Pym, as in the preceding Parliament, made a very circumstantial representation of the existing grievances, and said the redress of them does not hinder the King's service ; on the contrary, the movement is facilitated by taking away weights which impede it. Hereupon he repeated the principle that the King can never do wrong, and laid all the blame upon the Ministers. On this occasion Benjamin Rudyard affirmed they must deliberate first of all on the affairs of religion, and prefer God's business to every other. He then justified the accused Puritans, and said that whoever guided his actions by divine or human laws was designated by calumniators by that name.— Lastly, he continued, whoever can behold the misery and distress of our State without emotion has neither head, nor heart, nor soul. Thus, doubtless, the King himself, in the first place, is in great embarrassments ; but it would be contrary to duty, nay inhuman, to attempt hereby to gain an advantage over him. We

should then ourselves commit the crime that we blame in others, and at the same time forget that we cannot find our own advantage except in him and through him. Unhappily, false counsels have too much prevailed, and those who talk the loudest of the unlimited power of the King have converted it into a very weak and inefficient power, have exhausted his resources, squandered his revenues, have everywhere taken a wrong course, and have unworthily and disloyally laid upon the King alone the blame of their own faults. The King always has need of the strength, the heart, hands, and property of his subjects; the people always require the justice, protection, and clemency of the King, and this reciprocity is the most solid and delightful bond of union. Whatever may be determined, I pray that it may be done with as much gentleness and moderation as the welfare of the King and the nation permit and require.

In the first place, Committees were appointed to examine the subjects that had been brought forward, and some important matters were taken into consideration in the House itself—such as monopolies, the arrest of members of Parliament, illegal judgments, &c. (*) On all sides complaints and accusations were brought forward against the system of administration hitherto followed, and particularly against the equally odious ministers Strafford and Laud; and the apprehension that they might, as on former occasions, procure from false principles and

personal fears, a precipitate dissolution of Parliament, quickly suggested the idea that the Parliament must at once leave useless speeches and mere defence for serious attack, and immediately overthrow those who were their enemies and the enemies of the people, in order to be at liberty to make the necessary improvements.

On the 21st of November, on Pym's motion, the doors of the House of Commons were closed, and in the same sitting an impeachment of Strafford for high treason was agreed to, and sent on the same day to the House of Lords, with the request that they would exclude the Earl from their sittings and have him arrested; that the House of Commons would present as soon as possible the further proposals and proofs. (4) The question whether, on the ground of a mere general unproved accusation, the punishment required could be inflicted, was answered in the affirmative, in consideration of Strafford's well-known conduct and the dignity of the House. The Earl, it is probable, had long doubted whether he should expose himself in London to the attacks of his enemies, or, what would have been attended with no difficulties, remain with the army, or return to Ireland. (5) At least, it is said that, on his request to be allowed to remain at a distance, as he could scarcely be of any use, but might fall into the hands of his enemies, he was answered that the King could not dispense with his services, and that, so true as

Charles was King of England, no one should hurt a hair of his head.

On the day of his arrival, Strafford went boldly to the House of Lords, because he intended, it was said, to accuse some of the members of the Lower House of traitorous connections with the Scotch. He found the doors closed, knocked loudly, and when they were opened, proceeded with a proud and gloomy demeanour to his seat. What was his astonishment, when he was ordered to retire to the door till he should be called, and compelled to hear the order for his arrest from the House of Commons, not standing, but kneeling. As soon as he came down into the street, the assembled multitude cried out, "What is the matter—what is the matter?" and he replied, "A trifle, I assure you." But those who knew better, exclaimed, "A trifle indeed!—high treason a trifle!"

When Strafford, the most powerful and most determined adversary, had been so easily overcome, notwithstanding all the interest of the King and several Lords, there was no difficulty in arresting Archbishop Laud in a similar manner, and in preparing to impeach Finch and Windebank. Finch, being informed of this design, defended himself in the Lower House, not without ability, but was notwithstanding accused of having voted for the dissolution of Parliament, illegally levied money, &c. Both Finch and Windebank, fearing an unfavorable result, fled to France, where they published pam-

phlets in their justification, (⁶) which certainly proved the exaggeration and passion of their accusers, but by no means their own innocence. They were, if not ill-disposed, certainly inconsiderate and imprudent statesmen ; and even Lord Falkland, one of the noblest characters of that age, when he presented the impeachment of Finch to the Upper House, observed that his flight itself was an evidence of his guilt. He was an inefficient speaker, an unjust judge, an unscrupulous Keeper of the Seal, and his life a constant aim to undermine by intrigue and violence the fundamental laws of the kingdom.

Thus the King was deprived, in a few days, of all his servants, who, partly by foolish flatteries of his unlimited power, had brought him into this trouble, but whom he still continued to consider as the most faithful servants he had ever had : and, in fact, it cannot be denied that they were personally attached to the King, and desired to promote his interests ; but this attachment was the more prejudicial, because it was united with narrow views and arbitrary notions, which, on account of their very attachment, were the more readily listened to, and acquired double weight. It was certainly now impossible for the King to form and maintain a Ministry in contradiction to the views of the Parliament.

The debates of the latter, which form the whole contents of the instructive history of the subsequent period, are variously blended together ; for which rea-

son it is advisable, in order to facilitate the view of the subject, first to separate the affairs of the Church from those of the State, and then to give an account of the trials of the accused, especially of Strafford.

Immediately on the opening of Parliament the negotiations with the Scotch were renewed in a Committee. Here the former again declared that they were devoted to the King, if he would only remove his evil Counsellors, Strafford, Laud, and Hamilton; they were also ready, as soon as everything was regulated in Scotland, to assist the English in equally salutary objects. From these and other reasons, the popular party considered the Scotch, not as enemies, but allies, and were ready rather to pay and maintain their army, than by its speedy removal and dissolution, perhaps, give the King again military superiority. Though Royalists and Episcopalians loudly censured this conduct, and the northern Counties which suffered by having the Scotch quartered upon them, did not fail to send petitions and complaints, the Parliament prolonged the Armistice, and commanded all declarations and writings against the Scotch to be delivered up, and on occasion of votes of money for their army, called them not enemies, or rebels, but brethren! The King of course was not able, under these circumstances, to apply according to his pleasure the scanty grants of money.(')

At the same time the Commons drew up several

bills to remedy the defects and grievances which have been abovementioned. All legislative power, independent of the Parliament, for instance merely by Royal Ordinances, was to cease—no monopoly to be renewed—the Star Chamber, the Court of High Commission, to be abolished—the forest laws amended—no Ship-money or other unvoted tax levied—and every person to be prosecuted and punished who had been concerned in such matters.^(*) A bill brought in on the 19th of January, 1641, was even more important: it was of the following tenor. In case the King does not summon a Parliament every three years, the right is transferred to the Lords; if they neglect it, to the Sheriffs and other Officers; and if these omit it, to the Citizens and Electors themselves, who are then to meet by their own authority and proceed to the Elections. No Parliament shall be dissolved without its own consent, before the fiftieth day.—The King, said Lord Digby on this occasion, has by himself alone but limited power; united with his Parliament, no Monarch of Asia has so much power as he to remedy abuses. To expel bad Ministers is only dispelling the clouds; by the new bill we shall obtain perpetual sunshine.

The King, alarmed by this turn of affairs and these resolutions, summoned both Houses to appear before him on the 25th of January, 1641; complained that many things had been precipitated, while more important matters, (meaning the supplies,) did not

advance; and urged them not to lose sight of the difference between improving and changing the constitution. He approved of the former, was averse from the latter, and engaged to co-operate in everything really useful both in Church and State, and restore everything to what it had been in the best times of Queen Elizabeth. If anything in the levying of taxes appeared illegal, or too burdensome, he would remedy this also, relying on the attachment of his subjects, and likewise summon frequent Parliaments; only in the latter respect he could not suffer himself to be stripped of all his rights, or to give them up to every sheriff and inferior officer. These and similar remonstrances could the less induce the Parliament to depart from the course on which it had entered, as the contrast between the characters of Charles and Elizabeth was too evident, and the leaders of the Commons by no means considered the restoration of all things to any former state as the main object of their efforts. Thus Charles was compelled gradually to confirm all those Bills without alteration, and on the 16th February, 1641, even to the Bill for triennial Parliaments. On the same day, the House of Commons voted four subsidies, and the greatest joy and satisfaction everywhere prevailed. The event was celebrated by ringing of bells, fireworks, &c. and a cordial union seemed to be permanently established.

And yet, contrary to the King's hopes, two points

were not decided by this concession, which most deeply affected both his feelings and his principles,^(*) namely, the proceedings on the Earl of Strafford, and the attacks against the Bishops and the Established Church in general. After the arrest of Strafford, a Committee of the House of Commons was engaged in drawing up the articles of impeachment against him, and collecting proofs in support of them. It was alleged in the former that Strafford desired to introduce arbitrary power into England; that he advised the King to reduce the people to obedience by force,—that he shamefully tyrannised over the Irish,—favoured the Catholics,—was self-interested,—increased the animosity between England and Scotland,—conducted the army badly,—hated and counteracted the Parliament, and declared that the King was excused before God and man, if he made use of his authority and endeavoured to help himself.

In the proceedings, which commenced on the 21st March, 1641, and continued till the middle of April, Strafford defended himself with so much presence of mind and ability, that some of the points of impeachment fell to the ground, and not a single one justified an accusation of high treason. On the other hand, it was remarked, that a law of Edward I. enacted, that, since every act of treason could not be severally enumerated, *that* should be punished as such, which Parliament declared to be so. But, independently of

the question whether so old and obsolete a law was still valid, a later declaration of Parliament could not without injustice be applied to preceding facts. For this reason, greater stress was laid on the assertion that it was undoubtedly treason to endeavour to subvert the fundamental laws of the kingdom; and they invented a kind of accumulative or constructive evidence, by which many single words or actions, in themselves of little or no importance, should, when united, amount to a full proof of treason. At the conclusion of the proceedings, Strafford made a general speech in his own defence, from which we extract the following passages.

“It is hard when anybody is called to account on the strength of a law which no person can point out. (¹⁰) Where has this fire been so long buried, during so many centuries, that no smoke should appear till it burst out at once to consume me and my children? Great wisdom it will be in your Lordships, and just providence for yourselves, for your posterity, for the whole kingdom, to cast from you into the fire those bloody and mysterious volumes of arbitrary and constructive treasons, and betake yourselves to the plain letter of the statute; and not seek to be more learned than your ancestors in the art of condemning and killing. I am the first, after a lapse of 240 years, to whom this alleged crime has been attributed. Let us not to our own destruction awake those sleeping lions by rattling up

a company of old records which have lain for so many ages neglected and forgotten. To all my afflictions add not this my Lords, that I for my own sins be the means of introducing a precedent so pernicious to the laws and liberties of my native country. For though those gentlemen at the bar say they speak for the commonwealth, yet in fact it is I who defend it, and shew the inconveniences and miseries which must ensue from such proceedings. Impose not, my Lords, so many dangers and difficulties upon Ministers of State, that no wise man, who has any honor or fortune to lose, can serve the country with cheerfulness and safety. If you weigh everything by grains and scruples, no persons will in future engage in public business."—The Earl concluded by saying, "I thank God I have been, by His blessing, sufficiently instructed in the extreme vanity of all temporary enjoyments, compared to the importance of our eternal duration; and so, my Lords, I submit with all tranquillity of mind to your judgment; and, whether it shall be life or death—*Te Deum laudamus*."

Whitelock, who himself presided at the examination, says ⁽¹¹⁾: "Certainly never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment and temper, and with a better grace in all his words and gestures, than did this great and excellent person; and he moved the hearts of all his auditors, some few excepted, to remorse and pity." But the times had

already taken a turn when all enthusiasm of feeling passed for weakness, and only that of the understanding was honoured, though every distinction of that kind leads to error, and at last to crime. But because, notwithstanding the accumulation and union of single points, the accusation of high treason was not to be proved, the form and name were changed, and a bill of attainder was proposed in the Lower House. In order to avoid the appearance of partiality, the King had consented that, to obtain proofs, all the Privy Councillors should themselves disclose the secrets of their joint deliberations. Nothing of consequence resulted from this; but very great stress was laid on the circumstance that the younger Vane found among his father's papers a statement, according to which Strafford had advised war *against this kingdom*. Though the Earl, with four others, denied this accusation; though several swore that this was not the case, and that every unprejudiced person could see by the context that not England but Scotland was meant, many took advantage of this circumstance to justify their own rigour, and to inflame the people against the King. Lord Digby, who intended to defend him, thought it however (either from conviction, or to soften contradiction,) necessary to say—"Strafford is now hated on account of his actions, and will in future excite terror by his punishment. He is a very dangerous Minister, to whom God has given rare talents, and the devil a bad application

of them ; he is the great apostate who wickedly gave up the state and liberty. But as, on the other side, no treason is proved, another bill ought to be drawn up, which shall not affect the life of the Earl, but prevent him from doing any harm for the future. Every one ought to banish passion from his heart ; for though I know that this great and wise assembly has none, I speak to individuals only, on account of the weakness I feel within myself. Away, therefore, with personal hatred—away with the idea that we must be severe against the Earl because the people hate him, and would be incensed if our sentence were not bloody—away with the notions that a man accused of treason ought not to live, and that no one is safe as long as this man is permitted to exist.” Notwithstanding these and succeeding remarks, 204 members voted for, and 59 against the Bill, whose names were posted on the following day at the corners of the streets, with the inscription, “Straffordians—enemies and traitors to their country.”

When St. John presented the Bill to the Lords in the name of the Commons, he said, “He who transgresses the law appeals in vain to the law, and he who allows others no legal treatment cannot demand it ; and that may be done to him which he has done to others. It is true we make laws for hares and deer, for they are beasts of chase ; but it has never been considered as cruel or unjust to shoot wolves or foxes, wherever they are found, for they are beasts of

prey. In the same manner a steward places traps for polecats and other vermin, for the security of his preserves. Dangerous disorders prove fatal if they are not counteracted in time ; and errors in important matters, such as war and marriage, leave no time for repentance. Besides, it would have been too late to make a law if such a one had now been wanting. Strafford endeavoured to overturn the laws of his country, which had so long protected him and his ancestors ; he had committed not a *malum quia prohibitum*, but a *malum in se*, contrary to the plainest dictates of conscience and nature, which indeed have no law, but likewise need none, because they are themselves law. Besides, in matters of this kind, the Parliament has indisputably the right of life and death.

As in this manner Strafford's danger became greater, and violent petitions against him were presented from many places, the King with some friends thought to save the Earl, by entirely withdrawing him from business, and letting Say, Pym, Hollis, and Hampden take the most important offices of state. This plan being given up, either because the King changed his mind, or for other reasons, those leaders were again offended, and Charles considered it his duty to act more decidedly in another way ; he therefore repaired on the 1st of May to the Parliament, and said : " I have attentively considered all the debates, but can the less find the Earl guilty of

high treason, as he never thought of bringing the Irish Army to England, and nobody ever advised me to change the legislation of this country. However willingly I yield to the wishes of the people, I cannot act against my conscience, and have by no means deserved that the Parliament should attempt to constrain me in this respect. On the other hand, I acknowledge the improper conduct of Strafford, and am content that he should be incapacitated from holding any public office." In this confidential declaration of the King the Commons would see nothing but a violation of their rights, and two days later there was a riot, in which the mob demanded bread—and the execution of Strafford. On the 7th of May, twenty-six Lords out of forty-six declared the Earl guilty; the Bishops, instead of energetically opposing a sentence of death, having meanly retired, under the pretext that a sentence of death was to be pronounced, in which it was unbecoming for them to take a part. ⁽¹²⁾

When the sentence of death was laid before the King, he was in the most dreadful embarrassment. Strafford had indeed already written to him, on the 4th of May,—it had always been his opinion, that it was only by a good understanding between the King and the people, through the Parliament, that a happy and salutary government was possible, and it was doubly painful to him to be accused of having desired to produce dissensions. On the one side were the honor

and happiness of himself and his family, life or death, —on the other, all the evils which might befall the King and the kingdom. After mature deliberation he requested the King to confirm the Bill, as his (Strafford's) assent acquitted him of all reproach before God and the world.⁽¹³⁾ While many affirmed the noble mind of the Earl manifests itself in a brilliant manner, in his readiness to fall a victim for the restoration of peace, his opponents looked upon the letter merely as a trick, in order to obtain his deliverance: but he could by no means induce the King to condemn an innocent person, contrary to his own conviction.

It is true that (throwing justice, power, and judgment only into the scale of the Parliament,) even then, it was assumed as a principle, that the King was bound to submit his conscience and his understanding to the conscience and proposals of the two houses. However, the King considered it as his duty to send by his son an affecting letter to the Lords, to the effect that, if it could be done without discontenting the people, it would be an infinite consolation to him if Strafford were not executed, but condemned to imprisonment for life, and to death only in case he should attempt to make his escape. If they would so far yield to him in this, that he might, as he wished, use clemency, this would make him, not indeed more willing, but yet much more cheerful, in redressing their grievances and fulfilling their wishes. But if he could not otherwise satisfy his people, he must

indeed say *fiat justitia*.⁽¹⁴⁾ The answer was, that the sentence of death could not remain unexecuted without danger to the King, his consort, and his children. Juxon, Bishop of London, whom the King consulted, persisted in saying, that if he was not convinced in his conscience, he ought by no means to confirm the sentence: whereas Williams, Bishop of Lincoln, declared that the conscience of the King was here distinct from that of the private man, and it was his supreme duty to do what was necessary for the preservation of himself and his kingdom.

Thus, pressed on all sides, plunged in doubts respecting his moral and political duties, and unable to obtain any thing from the Parliament by a protracted refusal, Charles, at length, gave his assent to the Bill. In vain did the Earl entreat that the execution might be deferred a few days, and take place in the Tower.⁽¹⁵⁾ Reports of conspiracies in the royal army, and apprehension of some change of circumstances, made the Parliament refuse both requests, assigning as a reason that every delay would excite the people to fresh disorders, and a private execution might give rise to a belief that the Earl was still alive. On the 12th of May, 1641, he submitted with great firmness to the fatal stroke. In his last speech, he heartily forgave all his enemies, testified his attachment to the King, the church, and the country; declared that he had always believed that Parliaments were, under God's assistance, the best

means to make the King and the people happy; and prayed to God that so bloody a beginning might not have evil consequences, and bring down severe punishments.

By one party, Strafford has been represented as the noblest, most innocent martyr for the purest cause in the world;—by the second, as the worst of criminals, whose death was entirely merited, and absolutely necessary for the establishment of liberty. An impartial examination confirms neither of these views, but leads to a judgment between the two. Strafford had committed no crime which deserved death according to the laws, and he had justly said, “I see nothing capital in their charge;” and the proceedings against him were carried on with acrimony, and with a violation of many forms. On the other hand, he had behaved, especially in Ireland, in individual cases, in the most arbitrary manner, in order to maintain certain general principles, and his plan, to free the King from all restraint, by an unlimited right of taxation and a standing army⁽¹⁶⁾, was indeed not treason, according to the letter of the law, but more dangerous and more wicked than much that was designated by that name. For this reason, the popular leaders said: that the question here was not the application of the letter of the law to cases which were foreseen—but a new action, nay, a whole series of actions and intentions, for which a new law, and a new punishment must be laid down and applied, for

the safety of the country. If the existing law was insufficient to avert the most dreadful danger, it ought not to be meanly submitted to, but means to punish such great criminals, must be sought and found in the omnipotence of legislation. Lord Russell speaks in a similar manner: Strafford, he says, encouraged the King to persevere in his resistance, and, taken all in all, was a man of violent passions, destitute of higher principles and of genuine elevation of mind. The boldness of his character, the power of his eloquence, his virtues in private life, and, above all, the unjust manner in which he was condemned to death, have relieved his memory from the abhorrence in which it would otherwise be held by every friend of his country. And Vaughan says: If we blame the sentence which was passed upon Strafford, it is not so much on his account, as for the sake of the laws, which he trampled under foot, and of liberty, which he betrayed.

Strafford was the ablest, and in one sense the most faithful, of Charles's Counsellors, but he undertook a task to which he was not equal, and which he could not have executed without violating all the existing laws. He failed in attaining what Richelieu at that time purposed, and executed with far greater energy, and under very different circumstances; yet a more elevated point of view, and more genuine fidelity to the King, would have happily led in England to a far greater object. Strafford never knew how to com-

mand or to gain his enemies, but only to inflame them. Even on this account, he was not a statesman, in the higher sense of the expression, and in the long run, scarcely, a really dangerous enemy. Hence Pym, Hampden, and others of the same sentiments, of whom the Earl said they ought to be whipped into their right senses, so easily and entirely overcame him. ⁽¹⁷⁾

But precisely because the victory over the King's system was so decisive, and he had already granted every thing advantageous to real liberty, it appears doubly wrong that the Parliament was not satisfied with the fall of Strafford, without violating the existing law, and giving a retrospective power to the newly adopted principle; that, without a sufficient motive, it stained the road to peaceful improvement with blood, and after the King had sacrificed to it his erroneous principles, wantonly inflicted the deepest wound upon his heart. A milder course would have proved a better guarantee for liberty ⁽¹⁸⁾; by Strafford's death, on the contrary, the breach became incurable, all nobler feelings became subordinate to cold calculation, and in order to attain the object nearest at hand, that which was far greater was, in truth, sacrificed. From the moment that the affecting entreaty of Charles for the life of his servant and friend was refused, the very trace of everything pleasing and humane, in the relation between King and Parliament, was lost, without an indemnity being

found for it on any other side,—nay, without the possibility of ever finding it.

What a change of views and situation since the time of the great Elizabeth, when, amidst all the greater and smaller discords, a loud chorus of fidelity and unanimity at last bursts through; when all government and obedience assume almost the form of a romantic love poem, and the Queen and the people outvie each other in manifestations of kindness. Incapable of forming the slightest conception of this vigorous life, James I. placed obsolete notions and vain abstractions on the throne, and Charles, though a man of more worth, persisted in the same erroneous course, till his adversaries, likewise forgetting the first healthy state, proceeded from defence to attack, exceeded him in error and partiality of views, and overturned the existing institutions to a far greater extent than Strafford ever intended.

A greater King would never have been placed under the necessity of consenting to the execution of Strafford;—but, on the other side, an obstinate refusal would not have removed the dangers, and we can scarcely judge so harshly of Charles for yielding as he did himself, inasmuch as he reproached himself for it in the bitterest manner, to his death, and attributed to it almost all his subsequent misfortunes. ⁽¹⁹⁾

The greatest rejoicings took place in London on the execution of the Earl, and the windows of those

who would not illuminate were broken. Richelieu, on the other hand, said: the English are mad in cutting off the best head in their country. Digby's speech in favour of Strafford, which was printed, was burnt by order of the House of Commons, and Mr. Taylor expelled, imprisoned, and declared incapable of ever sitting in Parliament, because he had called the execution of the Earl a judicial murder.

On the 5th of May, when the Lower House was deliberating how the urgent pecuniary embarrassments were to be remedied, a Nobleman from Lancaster offered to procure the King £650,000, till the actual receipt of the taxes, provided he would promise not to dissolve the Parliament till all abuses were done away with, and not without its own consent. This notion was immediately taken up with the greatest zeal by the Parliamentary leaders, the bill drawn up, read twice on the same day, contrary to the laws, and for the third time on the day following, pushed with equal rapidity through the Upper House, and laid before the King. Since large sums are required, says the preamble, and cannot be obtained without credit, and credit suffers through want of confidence, and none can be found to lend, for fear of the dissolution of the Parliament, the King will not interrupt, prorogue, or dissolve the two Houses, or one of them, without their consent. ⁽²⁰⁾ The Privy Counsellors advised the King to assent to this Bill,

because otherwise no money was to be obtained, either by grants or loans, and this concession would satisfy the Parliament, and produce confidence and moderation. On the 11th of May, the day when Charles signed the sentence for the execution of Strafford, he also gave his assent to that Bill which led to his destruction. In the uneasiness and sorrow caused by the loss of the Earl, the King and his Counsellors had not paid due attention to it, and by no means appreciated its importance. ⁽²¹⁾ The Parliament was equally in error, when, after having sufficiently limited the royal power, it abolished, by that Bill, the salutary equilibrium, and the due reciprocal action, of the several powers; essentially injured the representative constitution, and founded a democratic oligarchy, at the expence of the rights of the King and of the people. Strafford's death and this law, which produced the Long Parliament, form the culminating point, from which the natural and necessary amelioration of defects changes into a disastrous and violent revolution. Let us now consider the entirely similar direction which was taken by the affairs of the church.

After the dissolution of the last Parliament, the Clergy, as we have seen, continued their deliberations in the Convocation, passed resolutions relative to the doctrine and discipline of the Church, granted money to the King, ⁽²²⁾ drew up a new oath for the unconditional immutability of the existing constitution of the

Church, and expressed themselves respecting the rights of the King almost entirely on the system of unlimited power and divine right. Hereupon the loudest complaints were made in Parliament, and on the 16th December, 1640, ⁽²³⁾ it was unanimously resolved, that the English Clergy has no right, in any Assembly, Synod, or Convocation, to pass resolutions on the doctrine, constitution, rites, discipline, &c. of the Church, without the consent of Parliament: the points adopted in 1640, and sanctioned by the King, are therefore not obligatory, are contrary to the rights of the King and the Parliament, to the laws of the kingdom, the freedom and property of the subjects, tend to excite dissension and rebellion, and produce the most dangerous consequences. Nay, not contented with thus annihilating a separate legislative authority for the Church, the Prelates who had attended the Convocation were fined in immense sums (from £500 to £20,000) and many matters relative to the Church afterwards decided by the Commons, without any participation of the Clergy. Thus, without consulting the King and the Lords, they drew up many directions respecting the placing of the altars, the removal of all crosses and pictures, the abolition of kneeling, &c. Those who did not obey were condemned and punished, as favourers of idolatry, and no regard paid to the consideration that, by the indiscriminate application of those directions, many works of art and fine monuments would be destroyed.

At the opening of the Parliament there were in it many faithful adherents of the Established Church, but Presbyterian principles gradually gained ground, and numerous petitions against the Bishops and the Constitution of the Church in general were presented ; among others, one on the 11th of December, 1640, from London. All that history, experience, learning and passion offered either for or against was brought forward in Parliament, or discussed in printed pamphlets. Here it must suffice to give the following short extracts from the very long debates in Parliament, to characterize the substance and the form of these discussions. As early as the 28th November, 1640, Sir Edward Dering required that a Committee should be appointed to examine into the tyranny of the Bishops ; which, in connection with the London petition, produced more accusations and increased the zeal against the Bishops. On this occasion, Lord Digby said in their defence, on the 9th February 1641, "Improvement may be salutary, but a total overthrow of the Constitution of the Church must be injurious. The London petition does not come from the City and the Magistrates, but from individuals, and contains a number of weak, nay, ridiculous arguments, which are adduced with undue presumption. But we ought not to suffer ourselves to be implicated by passions in the errors of the multitude, which always has recourse to extremes, and considers that as the best which is the most opposite to the momentary object

of its hatred. Great and sudden changes in the Government are seldom just, honourable, or appropriate. The evils which we experienced under the Episcopal Constitution do not necessarily proceed from it; and no better and more practicable one has yet been presented to us, which shall be liable in future to neither defect nor abuse. But future evils, it is true, when opposed to those which are present, are generally under-rated by the human imagination. An abolition of the Bishops would doubtless be succeeded by the authority of an Assembly of Clergy: that is, the raising up such an unlimited ecclesiastical power that it will excommunicate even Kings, and give them up to Satan; whence every inferior person may infer what in such cases he might expect."

Nathaniel Fiennes hereupon defended the form and the substance of the London petition, and then endeavoured to show that the Episcopal power might be dangerous to the temporal power, and on the other hand the Presbyterian might be kept in check. Then he complained of the ceremonies of the Church—the mixture of spiritual and temporal affairs, the excessive power of the Bishops, with respect to the inferior Clergy and the Laity, unequal division of Church revenues, the appointment of bad preachers out of ambition, self-interest, or other objectionable motives.

Benjamin Rudyard spoke to the same effect as Digby; but, like Falkland, was not for laying the

London petition aside, but for instituting an enquiry into ameliorations, without destroying the whole. This resolution was agreed to by the majority, and after further debates, a Bill was brought in and passed, on 3d May, 1641, that no Bishop should in future fill any other spiritual, temporal, or judicial office. Very remarkable debates took place in the Upper House upon this Bill. Hall, Bishop of Exeter, in opposition to it, affirmed that it attacked the foundations of the Constitution: for though a Bishop or Clergyman should not exercise any temporal function, or make it his principal object, yet, as experience proved, he might give his Country and his King wholesome advice. Otherwise it might at length be affirmed, that he should not possess and manage either a family, or household, or property. But in truth it was evident that their assailants did not so much consider the loss of time, engagements in worldly affairs, &c., as wish that the Bishops should lose their antient rights, and their influence, in order to open a door for unbounded innovations.

Viscount Newark spoke to the same purpose: The Bishops, he said, have for centuries done their duty like the temporal Lords, and now you would suddenly, without reason and occasion, deprive them of their most sacred rights—if this is justice, it is certainly *summum jus*. But the participation and co-operation of the Bishops in the Legislation and Administration appears far too important and salutary, for

the rare and trifling neglect of unimportant affairs to be taken into account against them. Besides, what is now alledged against the Bishops might be easily applied to the temporal Lords; in short, you are spoken of in other words, *mutato nomine de vobis*. Pretexts are never wanting when people make it their business to look for them, and who is able to stand when affirmation passes for proof? If the meanest subject is represented in the Lower House, how can this noblest privilege be denied to the Clergy, without the greatest injustice and folly.

The Bishop of Lincoln continued: This Bill is contrary to the coronation oath, according to which every right is to be protected, and defended. The whole history of the Church, even Calvin and Beza, prove that Clergymen may and ought to have an influence on public affairs. This is not opposed to ecclesiastical affairs; and only the Popes, who desire to make the Clergy wholly subservient to them, endeavoured to separate them from the State, nay, to oppose them to it. What would have become of the Reformation, if this principle had been formerly adopted, and Cranmer, for instance, excluded from public affairs and Parliament? Besides, the proposed penalties for any interference in affairs that may be arbitrarily called temporal are excessively severe, and the law, without any reasonable motive, made applicable only to Commoners; while all Nobles, if they obtain ecclesiastical offices, are excepted, probably to entice the Lords

incautiously and precipitately to give their consent. The Bishop concluded his speech in the words of St. Paul: "If the foot shall say, Because I am not the hand, I am not of the body, is it therefore not of the body? But now are they many members, yet but one body. And the eye cannot say unto the hand, I have no need of thee; nor again, the head to the feet, I have no need of you?"

After these attacks upon the law, Lord Say spoke in favour of it: There is no idea of destroying Episcopacy root and branch, but only of lopping off the absurdities which ignorance, ambition, or superstition have at different times engrafted upon it, and which are incompatible with the vocation of the Bishops and the Gospel; whose directions, and the example of the Apostles, should be a pattern and model for the Bishops, otherwise they burden their consciences, and become odious and contemptible, by what should give them respect and dignity. The history of the Church, too, shows that they have in this manner brought great evils upon Christendom, and caused more bloodshed than any other persons. Hence their struggles with Princes, their unreasonableness, and their close alliance with the Pope. This has indeed ceased; but, instead of it, they are wholly dependent on the King, do not sit as free men in the Upper House, and consequently their votes are only prejudicial. That their right is old does not prove its goodness; if it is founded on law, the

lawgiver may abrogate it, and what the Parliament resolves cannot be a violation of the rights of Parliament. As soon as a building falls to decay, it must be repaired, and the general good takes precedence of all other considerations.

To this Lord Newark replied: I take it for granted that the Bishops may take part in public affairs, and that this is not prohibited by the divine laws. It would therefore be unjust to attempt to bind the clergy, in future, by laws, in making which they were not allowed to give their opinion. The experience of thirteen hundred years is in favor of the system hitherto pursued; nay, there is no nation in the world, that has not consulted and employed its clergy and priests in the most important affairs. Besides, their age, their profession, and their knowledge entitle us to expect the most mature counsels from them, and the faults of individuals ought not to be indiscriminately ascribed to all. After these and similar opinions, the Lords resolved that the Archbishops and Bishops should retain their seats and votes in the Upper House, but should not be members of the Privy Council, or the Star Chamber, or Justices of the Peace.

At the moment that the Lords were preparing to submit, and to prove to the Lower House the reasons for their changes and modifications, the latter, impatient at the delay and opposition, proceeded in its increasing zeal much further than many of the advocates of the Bill had themselves at first desired.

Supported by Haslerig, Vane, Cromwell and others, Mr. St. John drew up a bill for the total abolition of all Bishops, Deans, and other officers connected with the Episcopal constitution. It was passed on the 27th May, by a majority of 139 to 108, and, from its contrast to the first moderate bill, received the name of the root and branch bill. The Lords, seeing their conciliatory proposals rejected, hereupon threw out the first bill entirely, on the 7th June, and on the 12th of the same month, Sir Henry Vane defended the second in the Lower House. The Bishops, said he, as experience has proved, are equally injurious to the Church and State, and may be compared to salt, which ought to be thrown away when it has lost its savour; and in fact there is nothing in them worth preserving or repairing; for, first of all, the institution of Bishops originates in popery, and is closely connected with it; secondly, it was founded and cherished by pride and ambition; thirdly, they are known by their fruits. For from thence have proceeded numberless acts of tyranny—they defended and promoted unlimited power—interrupted the course of justice—caused the quarrel between England and Scotland, and hindered every good measure in the Upper House by their votes. Yes, God has evidently delivered them into our hand, and we must follow this indication of Providence for the good of the State and Church.

To this Waller, the poet, replied: The ecclesiasti-

cal and temporal constitution of England are so blended together that one cannot be changed without materially affecting the other. Why shall the principles so often quoted, "*nolumus mutare leges Angliæ*," be no longer mentioned or regarded? It is because the people are against it! But attacks from that quarter invite us to use the greatest precaution; for if they alone are sufficient to lead to concessions, what shall we be able to refuse to the multitude? As soon as the constitution of the Church is overthrown, the next petition will perhaps demand an Agrarian law; and, as many arguments are now taken from the Scriptures for the abolition of the Episcopal dignity, there will be no lack of quotations from the Bible in favor of an equal distribution of land and estates; and if a prejudice is excited against the Bishops, because many a poor man may have suffered by them, there will be a thousand examples at hand to prove that multitudes have been harshly treated by their landlords. We must therefore correct and regulate opinions by declaring for the improvement, but not for the abolition, of the Episcopal system.

Instead of being induced, by these and similar arguments, to retreat or moderation, the Presbyterians, consistently with their view, went further, and on the 15th June made a motion for the abolition of all canons and chapters, and endeavoured to support it by many arguments, which we have no room to

detail. The canons, said Pury, by no means apply their properties and revenues to the original purposes, and do not in any manner perform their duties : they are not proprietors, but only holders, and the Parliament has a right to make new and salutary regulations for the property. Thus we shall have in future, not a poor, but a richer, more flourishing, and more learned Clergy than any other country in the world. Benjamin Rudyard saw the matter in another light, and said : One thing disturbs me beyond measure in our important debates, and staggers my reason ; namely, that, in contradiction to the wisdom of all ages, the principle is set up—No reformation without destruction.

The question respecting the best constitution of the Church was not only discussed in Parliament, but caused a general excitement in the minds of the people. Shoemakers and tailors contended with the most vehement zeal, for and against the Bishops, and prayers and fasts were held by many of the godly, especially by the women, that God would no longer delay the destruction of the ungodly Episcopal Church. Lord Brook affirmed, in a pamphlet, that the Bishops were of too low origin to sit in the same house with the Noble Lords. In conformity with these views, they were often treated with contempt in the Upper House, and never allowed precedence in the public ceremonies ; nay, on the 4th of August, the thirteen

Bishops who had latterly taken a share in the debates of the Convocation, were criminally accused, and on the 23rd of October, Pym addressed the House of Lords in favor of the bill for abolishing the whole Episcopal system. The Bishops, it was said on this occasion, are prohibited by many ecclesiastical laws from interfering in temporal affairs; they are unduly dependent on the King, and nevertheless behave with arrogance towards the clergy and laity. In the enquiry respecting their usefulness or their expulsion, they, being a party, ought not to vote; they have only a life right, are neither a distinct estate voting apart, nor representatives of another estate, and can therefore neither have any share in the legislative authority, nor bind it for their own advantage by reference to custom or prescription.

The Bishops in reply affirmed: Our rights as an estate in Parliament are not contrary to the laws of the Church; far from this, we exercised a beneficial influence on temporal affairs, and have been on good terms with the Government, especially since the abolition of Popery, which was chiefly our own work. Everything human is liable to degenerate—therefore it is advisable to repair, but not to destroy, till we have something better to substitute. To take away our right of voting because we are a party (²), would be condemning us beforehand; and the objection that we have no inherent rights would apply in a higher degree to the Lower House; and that of our not

representing any class would apply to the temporal Lords: and in this manner the whole constitution might be easily rooted out, as is now partially attempted with us. By these and similar arguments the animosity against the Bishops was so far from being mitigated, that it was proposed in the bill that the confiscated lands should be employed for the advancement of piety and learning, and for the support of the persons affected, in so far as they are not sinners and delinquents against the House of Commons. Among the latter were reckoned not only those already accused for assisting at the Convocation, but other persons were gradually added in an arbitrary manner. On the 30th of December 1641, twelve Bishops were induced to present the following declaration to the King and the House of Lords: "As our right and our duty to appear in the Upper House is beyond all doubt, we would wish to take part in the business of the House, and prove that we have no community with Popery and malignant parties. (2^d) But having been several times in our way to Parliament insulted, threatened, and attacked by the mob; nay, the last time been put in imminent danger of our lives, without being able to obtain protection and assistance from the House of Lords or Commons, notwithstanding our complaints, we declare, with the reservation of our rights, that, till measures are taken to prevent such dangers and insults, we will not appear in the Upper House, and declare everything null and

void that shall be resolved upon during our forced absence."

The complaint of the Bishops, of threats, insults, and violence, was perfectly well-founded; nor had anything been done to secure them, or punish the delinquents; but it was ill-advised in them to absent themselves at this moment from the Parliament, and abandon the field to their enemies: it was presumptuous to think of entirely checking or annihilating the business of Parliament by their opposition. Instead, therefore, of exciting compassion by this Declaration, and leading to favorable conclusions, both the Upper and Lower Houses were equally indignant. The latter at least acted consistently on this occasion, but the former precipitately and without foresight. The Commons, in particular, were convinced that the object of the Bishops, probably in concert with the King, was to effect in this indirect manner a dissolution of Parliament. They were therefore accused of high treason on the 30th of December 1641, and confined in the Tower. (²⁶) Their friends declared they are not traitors but fools, who ought to be sent to Bedlam; while their enemies, under apparent anger, concealed a secret joy that they had themselves, by their mistaken conduct, led to their own overthrow, which it would have been difficult to procure by a general law; and had thereby converted into enemies the Lords who had before been, for the most part, friendly to them. The

King alone was still sincerely attached to them, but a series of various events rendered him every day less able to afford them any competent support ; besides which, their expulsion had greatly diminished the number of his adherents in the Upper House.

Having thus brought down the course of the Ecclesiastical disputes to a remarkable crisis, we have now to resume the narrative of the civil affairs of England, and then the important history of Scotland and Ireland.

After the fall of Strafford, Laud, and the other Ministers, the King considered it imprudent and unbecoming to entrust the management of affairs to their adversaries ; but the insignificant and unpopular persons who surrounded him were unable to stem or to direct the torrent, and when he too late employed eminent patriots, they either required him wholly to submit to the will of the Parliament, or lost their popularity as soon as, being placed in a different point, they ceased to consider this as useful or advisable. Consequently the administration, as opposed to the Parliament, now suffered by too great weakness, as formerly by illegal power, and, with the increasing attacks on the royal authority, it was not unnatural that the idea suggested itself, whether a support might not be found for it in the army. With this view, officers well affected to the King endeavoured to attain this object, and a petition was drawn up, containing among other points that the King should not be

limited in his concessions and resolutions. It may appear doubtful how far Charles and his Queen immediately co-operated or assented; but the negotiations were certainly not entirely concealed from them, and some of their pretended friends had perhaps prematurely and purposely made the plan known. While the King affirmed that he had nothing to do with the whole affair, and that it was unimportant, because it had only been talked of, and nothing had been done, others alleged that he had seen the outlines of the petition, and had approved it by affixing a C. R. to it.

However this may be, the Commons turned these circumstances to their advantage. On the 3rd of May 1641, they made a report on the very dangerous intrigues, the object of which was to separate the army from the Parliament, and to introduce foreign troops into the country. (⁷⁷) Actuated by real or partly feigned apprehension, a Protest was drawn up, the object of which was to maintain the religion of the country, and the union of the three kingdoms, which was sworn to by both Houses with very little opposition. At the same time the Speaker, having received directions to that effect, satisfied the army, by a declaration that it was intended to provide for it, and to act without secondary views, solely for the welfare of the State.

Thus all passed over apparently as an insignificant question, but in fact led to important consequences.

In Parliament the suspicion gained ground that Charles intended by every possible means to recover his unlimited authority, from which it was inferred that every means was allowable to avert so great a danger. With this view, Pym laid before the Upper House, on the 24th of June, many demands of the Commons for the disbanding of the army, the dismissal of evil counsellors, rigorous treatment of the Papists, the protection of the country, &c. Both the King and the Parliament had lost all confidence in the army, and both now wished for a reconciliation with the Scotch, because each party hoped to gain them to its own side. Hence nearly all their demands were acceded to, and in the peace of the 7th of August 1641, it was stipulated⁽²⁸⁾ that the acts of the late Parliament of Scotland shall be acknowledged as laws. With respect to religion and divine worship, as great a conformity as possible shall be introduced in both kingdoms, and no person censured on account of the Covenant. The Scotch receive from England £.300,000 for their friendly services—all the declarations, ordinances, writings, &c. against them are suppressed. No person shall receive an office, or have access to the King, who has been judged incapable by sentence of Parliament. No war shall be declared between England, Scotland, and Ireland, without the consent of their respective Parliaments.

The King at this moment, no less pressed by the English than formerly by the Scotch, earnestly desired

a reconciliation with the latter; nay, if possible, to obtain their assistance against the English. But, for this very reason, his plan of going to Scotland offended the Commons, who made a great many objections; as these, however, could not move him from his purpose, the Parliament adjourned, after having appointed Committees, with great powers, which partly conducted the business in London, and partly accompanied the King to Scotland, and in fact kept him under a strict superintendence.

The Scots had in the meantime opened their Parliament on the 11th of June 1640, without waiting for a Royal Commissioner; because the King's solemn promise to call it, given at the conclusion of the peace, could not be defeated by continual prorogation. This was accompanied by the following declaration: That the prorogation of Parliament without the consent of the Estates is contrary to the laws and liberties of the kingdom, without precedent, and in positive contradiction with the conditions of peace. They then proceeded to confirm the Covenant and the new church laws, and in the year 1641, after a further prolongation, a second session of the Parliament was opened with similar declarations and reservations. In July, Charles caused several proposals and concessions to be laid before it; which measure was the less calculated to attain his end, as he at the same time urged a prorogation, and thereby awakened their former suspicions.

At length, notwithstanding all obstacles and difficulties, he set out for Scotland, and on the 19th of August 1641, made the following speech in Parliament:—"Nothing has ever been so unpleasant to me as the unhappy differences between me and my people, and I have longed for nothing more ardently than to see this day, when I hope not only to clear up all misunderstandings, but also to become thoroughly acquainted with my native country, and to become known by it. I will not repeat, for I believe you are well aware of them, the difficulties I have had to overcome, in order to visit you; but I must observe, had not affection for this kingdom been the chief motive of my journey, excuses might easily have been found to send a Commissioner in my place. In the same manner, I entertain no doubt of your attachment, and that you are ready, in conformity with your oath, to maintain the royal power which has been transmitted to me by a line of a hundred and eight ancestors. The object of my visit is, in a few words, to fulfil all promises and settle all differences, and that not superficially, but wholly and heartily. For I can assure you that nothing is dearer to me than to give my people universal satisfaction. As a proof that these are not mere empty words, I wish that everything relative to the religion and liberties of the country be settled before you proceed to other business."

In conformity with these offers and promises, the

King successively consented to the following points. The acts of the late Parliament have legal force. Every Estate chooses its own Lords of the Articles. All proposals are in future addressed, in the first instance, to the whole Parliament, and are referred by it at its pleasure to those Lords for examination. There shall be no war between England and Scotland without the consent of their Parliaments. In cases of attack or internal troubles, both kingdoms mutually to assist each other. During such time as the Parliament is not sitting, special persons shall be appointed for the preservation of peace. As the King's absence in England prevents him from being thoroughly acquainted with the qualifications of individuals, he will appoint the Privy Counsellors and other important officers according to the proposals of the Parliament. The persons appointed are answerable to the Parliament and the King.

Agreeably to these legal enactments, the King favored the most distinguished of the Covenanters, and gave them offices, or pensions and presents—even to Henderson and Gillespie, the latter of whom, notwithstanding, vehemently opposed reconciliation with the King in 1648. These measures diffused the greatest joy, and on the King's departure the Estates declared, in a solemn address, that he had given them entire satisfaction with regard to their religion and liberties, and that a contented King left a contented people. He too was himself persuaded

that he had so entirely gained Scotland, that in case of need it would support him in his disputes with England, or at least remain neutral. On the other side, many of his old Scotch adherents complained that he had sacrificed them and the royal authority, and favored and exalted enemies who now made great promises, but would keep none of them, and would advance new demands. If he agreed to the abolition and condemnation of the Episcopal system in Scotland, how could he think of maintaining it in England; and if the administration came into the hands of the Scotch Parliament by the appointment of officers, how could he resist similar demands from the English House of Commons? In addition to this, there were persons in Scotland who concluded from the extent of the King's concessions that they were not seriously meant, and that self-interest was at the bottom. Some who called themselves the most godly of the godly, especially women, raised a new outcry under various pretexts; did not even spare Henderson in their reproaches; and, in contradiction with their former experience and principles, insisted that the Covenant ought to be forced upon everybody, even the English. These and other expressions and endeavours did not at all discourage the King; for he believed that he had done right in every essential particular, and thereby gained his objects. But an event now occurred, of such importance that everything else became insignificant in comparison, and

the position of parties was totally changed, almost entirely to the disadvantage of the King—we mean the rebellion of the Irish Catholics.

In order to place this event, which has in general been partially and falsely represented, in its true light, we must again recur to earlier history. (²⁹) At the conclusion of the reign of Elizabeth, Ireland had been entirely subdued, and a portion of the people had so far been gainers, that the English laws were applied to them, and the former almost unlimited privileges of the chiefs were limited. James I. had very decidedly resolved to civilise Ireland and make it happy; and many, referring to the measures adopted by him, have not only confirmed this praise, but have represented the state of Ireland, from 1603 to 1641, as healthy and prosperous, and affirmed that the Rebellion had commenced in the last year without ground or occasion, merely from presumption and barbarism. This view, however, may be proved to be in the main false. It must be owned that much was done under James I. to promote order and civilization. The old British laws, by which every crime could be atoned for by fines, were abolished—some other injurious customs annulled—the rights of the Lords were more strictly defined; waste lands cultivated, settlers encouraged, &c. But in all this there were partly great evils concealed, and in part others still greater were opposed to them.

Hence the Irish had occasion for heavy complaints,

which we may sum up as follows :—No Irish Parliament has been called since 1587, and our country has never been represented in the English Parliament, whose laws bind us. ⁽³⁰⁾ We are still looked upon as savages, and the defence of our religion, customs, and possessions as a crime. We are expected to consider it as a favor that King James, in 1613, granted an amnesty ; but, not to mention that we had committed no crime that required a pardon, the law makes innumerable exceptions, and disappoints every hope that was founded upon it. Above all, the cruel immense confiscations of estates are the greatest injustice and the most arbitrary punishment. No title avails, and every legal pretext is taken advantage of to expel the Irish from their possessions, and transfer them to strangers. Cunning, fraud, perjury, bribery, are employed with the most shameless effrontery for these shameless purposes ; nay, what limits shall be found to such arbitrary proceedings, when, under the pretext of the right of conquest, every title to an estate, as far back as the time of Henry II., was called in question, or for the alleged fault of a chief, all the innocent vassals were deprived of their property ? Did not the English House of Commons, on the confiscation of O'Neal's estates in 1583, prove the unlimited right of the Kings of England to dispose at their pleasure of all Irish landed property, by the fact that the Irish came from Spain, and their leaders Heberus and Hegemon had submitted to the

English King Gurmond! In a similar spirit, King James seized upon 380,000 acres of land, not according to law or justice, not by contract or cession, but on the stress of those foolish fables, and of the still subsisting right of conquest. At the same time the declared object was, that no Irishman should have any part in the new settlements, and that none should remain, even for great sacrifices, in the possession of his hereditary estates. Their expulsion was sought, in order to attract, as it was alleged, a more noble and civilized race of men; though these settlers, in truth, were for the most part rapacious adventurers or indigent rabble. With this political injustice, religious intolerance was intimately connected. Thus all Catholics were in fact excluded from the acquisition of landed property, by the condition imposed upon the settlers of taking the oath of supremacy. None of them obtains a public office of any kind; their churches and chapels are violently closed, their clergy expelled, their children delivered to Protestant guardians. Under innumerable pretences, such as not attending divine service, they are punished, and religion is always alleged as a motive; while both in the temporal and spiritual courts selfishness and intolerance are the sole springs of action.

All these grievances of the Irish were perfectly well-founded, though they very naturally gave sufficient reason to recriminations on their perfidy, ferocity, and intolerance. Language, manners, religion,

and the state of civilization were different; the masters and tenants were diametrically opposed to each other; interests essentially different were everywhere manifested; and nowhere was there any political wisdom, or religious tolerance, to soften and reconcile these contrarieties. The Catholics considered the Protestants as infidels—the latter, on their part, called the former idolaters; each party thought it meritorious not to tolerate the other, but to extirpate it. The Priests, attached to Rome and Spain, appeared, besides, to the English as rebels; and because the Protestant Clergy were for the most part ignorant of the Irish language, they could exercise no useful influence over the people. In addition to this, they were divided into such as were very rich, who possessed several livings, but attended to none, and in such as were wretchedly poor, who could acquire no respect, and were too easily led to endeavour to improve their circumstances by unjustifiable means.

Such was the state of affairs when Charles I. ascended the throne. The Irish readily came forward with an offer to assist him, and to maintain 300 cavalry and 5,000 infantry, if he would grant greater toleration in religious matters; but this proposal was rejected, chiefly through the interference of the Bishops. Two years later, in 1628, the King, whose distress became more urgent, was more compliant, and at the earnest request of the Irish caused the Charter of Graces to be drawn up. It contained

scarcely anything but urgently necessary and reasonable regulations, respecting the billeting of soldiers, the limitation of the military laws to times of war, the pardon of criminals, judicial forms, monopolies, hereditary rights, and the oath of supremacy. In particular, it decreed that 60 years' possession should constitute a legal title, and protect the possessor against all claims from the crown, and from all other persons.

If this humane and just course had been persevered in, the most salutary effects for Ireland must have followed. That this was not done was the fault of the King, and, above all, of the Earl of Strafford, whom he appointed Governor in the year 1632. For if, on the one hand, he provided, with correct judgment and laudable energy, for the establishment of schools and of linen manufactories, the extension of trade, the suppression of piracy, &c.; yet, here as elsewhere, his will, or his pleasure, was in his opinion the supreme law, and as he acknowledged no public law, how could he acquire real political wisdom? "I found," says Strafford, "the State, the Church, and the people of Ireland, in a state of perfect dissolution. Nothing was to be effected with kind looks and pleasant smiles; stronger measures were necessary. I have therefore raised and rewarded the worthy, punished and thrown down the perverse, and not changed my conduct till they repented. None but thorough measures can subdue the spirit of the times, and the elevation of the royal

power must be the most important—nay, the sole object of my government.” Ireland (as in fact every country) undoubtedly required a vigorous and powerful government. To substitute this for the tyranny that had hitherto prevailed, and to connect it with the Charter of Graces, would have been the proper business of the Governor. Instead of this, as the above empty words themselves show, he adhered to the notion that the Irish were still too barbarous to be treated according to justice and the laws; and that the kingdom was, in the strictest sense of the word, a conquered country. From these harsh and arbitrary notions he drew the inference, which was defended during his trial, but which in truth was equally foolish and condemnable—that all the Irish, without exception, had forfeited the rights of citizens and of men, and that it depended wholly on the royal favour, what and how much should be granted them. “As I” (so he writes on another occasion) “am sure of the King, I shall dance merrily with all the rest. What his Majesty pleases to command I will most willingly execute, whether it agrees with my own inclinations and opinions or not.” From this point of view the King’s haughty favourite looked upon every Irishman, as a being who could in no case claim rights, and whose duties were summed up in the single principle of passive obedience. But as means were wanting to obtain by force the principal object, that is, supplies of money, the Earl did not disdain to

employ artifice. Thus he represented to the Roman Catholics, that, if they did not voluntarily pay him betimes, the government would be obliged to levy the severe legal fines, for example, for not attending divine service; and to the Protestants it was intimated that the King, if they refused him assistance, would be obliged to grant greater concessions to their adversaries. That, as a faithful servant, he would certainly advise the King to try first of all the usual means to supply his wants; but that if he should be disappointed in his expectations, he would prove to them, at the head of an army, that right and reason were on the side of the King. But instead of acting on the only true principle, that every division in a state is injurious, Strafford thought it wise not to reconcile the Protestants and Catholics, but to oppose them to each other, and in the end to threaten both with the illegal use of the royal power. He maintained that taxes imposed by royal authority were as valid as Parliamentary grants; and at the opening of the Parliament said, that it was entirely below his master's dignity to bargain every year, with his hat in his hand, whether they would be pleased to do something for their own preservation. When John Talbot made some objections, he was driven out of the House, and arrested till he begged pardon of the Governor on his knees.

We will not attempt to decide how far Strafford's threats, or some other means, had any influence; but it

is certain that the Irish House of Commons cheerfully and voluntarily granted six subsidies, an uncommonly large sum, and now justly expected a solemn confirmation and further development of the Charter of Graces. But Strafford thought that, as he had this time obtained money without granting anything, he might spare the confirmation for another time; nay, he and the King, whose sentiments were similar, were resolved entirely to evade and defeat it. They therefore now said plainly, that some of the concessions in that Charter were only occasional and temporary; others no longer necessary; that others required a more accurate investigation, or might be carried into effect by the ordinary officers. Lastly, Strafford positively rejected the most important point, that sixty years' undisputed possession of landed property should constitute a good title, even against the claims of the Crown.

Accordingly, innumerable enquiries now began; and, with mild and plausible words about maintaining the laws, the most glaring acts of injustice were committed. Thus almost all the grants of Queen Elizabeth, the clearest documents, were declared null and void, under subtle pretexts, and the possessors expelled, or forced to pay large sums. It appeared from the way of procedure that there was no such thing as landed property in Ireland: as if all title to it should vanish at the discretion of the Government or the King. Strafford boasted that the King's

power in Ireland was as unlimited as that of any prince in the world, and that the pernicious concessions were now for ever lulled to sleep. Because twelve jurymen, in the year 1636, would not, agreeably to his opinion, deprive their fellow-citizens of their land, the Governor fined each of them £.4000, imprisoned them till they paid, and compelled them to beg pardon on their knees. The Judges received four shillings in the pound of the first year's incomes of all the confiscated lands; and Strafford wrote to the King: "Each of these four shillings paid, once for all, will add four pounds to your Majesty's revenue." Instead of disdaining these and other base ways and means, Charles answered, to the complaints that were made, that Strafford's conduct was not harsh, and that he approved of the Earl's serving him in this manner; and the latter affirmed, (when a strict account was required of him in the sequel,) for his justification, that it always had been so⁽³¹⁾ and still worse, seeing that, according to the laws of war, innumerable people had been hanged in Ireland without any legal formalities. Though, in the proceedings against the Earl those legal forms had undoubtedly been violated, his conscience must have told him that he had burdened himself with the weight of this guilt in a much greater degree, and had found, in the pretext of promoting the general good, a sufficient justification for the exercise of his own arbitrary will.

It was natural enough that, after Strafford's arrest, the praises which had been extorted from the Irish by fear were changed into loud complaints; and the Irish Parliament contrived, by arbitrary regulations, to reduce almost to nothing the former liberal grant of money. The King was so incensed at this, that he gave orders to take the new decision out of the Parliamentary journals, though only the same proceeding was employed against him which he had formerly approved with respect to the Charter of Graces. Being in greater distress, he now confirmed its contents; but the Irish House of Commons, encouraged by what was doing in England and Scotland, extended its demands, and the most lively hopes and plans were conceived by the whole people. Even the most prudent and moderate could not but wish, after centuries of oppression, for the independence of the Irish Parliament, the appointment of Irishmen to manage the affairs of their own country, free trade, and the exercise of religion, civil rights, and the admission of Roman Catholics to public employments. All these claims, say most authors, have been again justly forfeited for centuries to come by the rebellion of the Irish Catholics in the year 1641.

On the 22nd of October, immediately before the rebellion broke out, Mac Mahon informed the Lords Justices of Ireland, that a general conspiracy was prepared, according to which the Roman Catholics were on a certain day and hour to make them-

selves masters of all the fortresses, especially the castle of Dublin, and to massacre all the Protestants without exception. Notwithstanding this information, three hundred thousand Protestants were murdered within a short time in a most dreadful and cruel manner. Such is the tenor of the story which has been a hundred times repeated, with the addition that the happy Irish had no grounds for discontent, and had been seduced only by superstitious infuriate priests. This is the accusation: the result of unprejudiced investigation, on the contrary, is, the Irish were impelled by numberless reasons to take advantage of the apparently highly favorable circumstances for the improvement of their civil, religious, and political situation; and thought, if the Scotch have been so commended for their Covenant, directed *against* the King, a union *for* him, against arrogant subjects might be still more easily justified. But such a union had not been concluded when Mac Mahon gave his essentially false and incredible information; nor was there ever any general conspiracy to murder all the Protestants. The troubles which arose in Ulster from local reasons, spread slowly and, mostly through the fault of the English magistrates, over the greater part of the country, and the number of the Protestants who perished by violence or in open combat, is reduced to about 6000.^(*)

As our space does not allow us to prove these assertions by a detailed narrative, the following par-

ticulars must serve for their confirmation. Supposing that Mac Mahon's information of a general conspiracy fully matured to break out was true, his discovery did not throw any obstacle in the way of its execution; for the number of the Protestants was to that of the Catholics at most as one to ten, and the Government had no means at its command to prevent the explosion in the whole country, or even in Dublin; the castle of which was garrisoned by only one company of soldiers. The many thousand men, who it was pretended were ready to enter the city, nowhere made their appearance; and only in Ulster, the landowners who had been expelled from their estates, and their equally injured vassals, made an attempt to recover by force their hereditary property; but, after the lapse of six weeks, the disturbances had not extended beyond the boundaries of that province. The numerous letters of the Earl of Clanricarde, governor of the county of Galway, confirm what is here said. Thus, on the 14th of September, he writes: "We were at first very much alarmed by reports of a general conspiracy, but we have become easy again since we see that nobody moves, except some remnants of discontented Irish in the north, and in the settlements in the county of Leitrim. In some places some loose vagabonds have been guilty of plunder; but, with the exception of Plunkett and Moore, I do not hear of a single Irishman or Englishman of any note who has taken part in the movement." The

subsequent official reports show how and why the evil spread.

At the head of the Irish Government were the Lords Justices Parsons and Borlace,—the former of mean origin and without education, but active, artful, extremely selfish and covetous ; Borlace, an old soldier, indolent and entirely subordinate to his colleague. Instead, then, of carefully examining the statements of Mac Mahon, the two Justices, actuated by absurd fears and other secondary views, sent the most exaggerated reports to the King and the Parliament, and issued proclamations which took for granted the universal guilt of the people ; and, notwithstanding their entire want of military resources, spoke only of coercion and punishment. They were indeed obliged to confess, so early as the 29th of October, that there had been no general conspiracy of the Catholics, and to allege that they only meant the really guilty in the province of Ulster. Yet they did nothing to check the evil ; but acted precisely as if the breaking out of a rebellion were welcome to them, and as if they and the Privy Councillors wished the number of the guilty to increase, that there might be occasion for greater punishments, and a more extensive confiscation of estates.

A wish was now generally expressed that the prorogued Irish Parliament might be again assembled ; most of the members being rich men, who were so extremely interested in the restoration of tran-

quillity that they would readily grant the means to effect it. But Parsons and Borlace desired to rule alone, and leave the evil to take its own course, that they might have the more ground for accusation and punishment. It was foolish and unjust to manifest suspicion of all the members of Parliament at once, nay to withhold from the whole people the legal means of consulting on the critical state of affairs, and adopting some resolution accordingly. This naturally excited discontent, in men who had hitherto been peaceable, and raised the courage of the turbulent; because, without a Parliament, means were wanting to oppose them effectually.

In consequence of these reports, the English Parliament, in the absence of the King, came to a resolution to prepare everything for an active war against the Irish, and issued a proclamation to the following effect: That by the treacherous and wicked excitement of Roman Catholic Priests and Jesuits, a conspiracy had been formed for the bloody murder of all Protestants and loyal Catholics of English origin, as well as for the total destruction of the Royal authority and of the present Government. Thus the English Parliament went beyond the accusations of the credulous, and increased the number of the guilty by designating everybody as such. Pardon was, it is true, at the same time offered to all such as should repent; but as it was added that no Papist should be tolerated in Ireland, the offer of pardon not only sig-

nified nothing, but appeared like bitter irony and illegal cruelty.

Unhappily everything concurred, natural rudeness, religious zeal, unlimited thirst of vengeance on the one hand—arrogance, self-interest, and injustice on the other—to give to this Irish contest a character of inhuman severity and ferocity of which there are but few examples in the history of the world. (²³) For, whatever may be allowed for exaggeration, however certain it is that blame must be attributed to both parties, there still remains but too much that cannot be denied. But if the follies, the vices, and the crimes of the Long Parliament, if not forgotten, are yet thrown into the back-ground, and judged of with less severity, the same equity should be shown to the Irish, who had more reason for complaints than the English and Scotch of those times, or the Americans and French of a later period; and the more moderate Irish, when the zeal of their countrymen and the measures of the English Governors gradually obliged them to take a part in the movement, exerted themselves to the utmost to introduce order and consistency into the whole enterprize. Four and twenty men, nobles, clergy, and citizens, placed themselves at the head of affairs, and made use of a seal with the motto: *Pro Deo, pro Rege, et Patria Hibernia*. In the oath of their union, they swore to maintain and defend the rights of the King, the Parliament, and the subjects ;

and in November, 1641, asked nothing but what a reasonable Government ought voluntarily to have granted them long before: namely, the abolition of all penalties against Roman Catholics, as they were willing to be obedient subjects, admissibility to offices, the right of acquiring land, which was extremely limited, and amnesty for the past. All these demands were refused by the English House of Commons, nay, it was so infatuated or so insincere that it attributed the Irish disturbances, wholly to the perfidious and Popish Counsellors of the King. The Irish asked more justly, Is it not more legal and pardonable if we conclude a union for the maintenance of our religion, of the royal prerogatives, and of the true liberty of the people, than when others do so in order to have an opportunity and pretext to diminish and undermine the King's lawful authority. United Irishmen, therefore, recognized the rights and authority of Charles, but rejected the actual Governors in Dublin, because they entirely depended on the seditious party in London.

Notwithstanding the preceding arguments and events, many worthy Roman Catholics in Ireland themselves doubted whether the course that had been adopted was fully to be justified and was likely to lead to a happy issue. For this reason, the noble Lord Clanricarde, (a half-brother of the Earl of Essex,) for example, though a Catholic, took arms for the existing order, and for the Protestants.

When this was known to Lords Fingal, Netterville, and others, who were at the head of the Irish Union, they wrote to him, asking : Why do you act against those who combat for their religion, King, and country ? You, being a Catholic, will never gain the confidence of your adversaries, nor escape their persecution. Consider with what disgrace all ages have branded those who were lukewarm and backward, in supporting their afflicted country. Even the heathens place it next to their gods, and before parents, children, and property ; nay, for the perfect justification of our cause, is not the service of the living God our object ? Do we not strengthen ourselves by perfect obedience to the King, while our enemies, as far as lay in their power, made the majesty of England contemptible in respect to foreign princes. The King must condemn every one that displeases them, and dares not extend his favour further than they think good. Without their permission, he dares not come to this kingdom, and they declare those as their enemies who would accompany him. They endeavour to destroy the freedom of this country, together with the rights of the King, and affirm that all their resolutions are binding upon us. You, my Lord, are a Catholic, and by the merits of your worthy ancestors placed in an elevated situation. Do not suffer matters to come so far that you sprinkle their graves with the blood of men who have devoted themselves to our just cause. Do not act so

that this kingdom may be despised by all nations, and the basest slavery be called Irish submission. Let us unite to defend the honour of our King and master, who suffers under the oppression of the Puritanical anarchical faction, and let your support be given at the right time, so that you may appear to have been induced, not by the power of the victorious party, but by the intrinsic merit of the cause itself. This is the request of all the Catholics in Ireland, and the wish of your affectionate friends.

When faithful subjects of the King, in Ireland, might justly doubt what their duty and conscience demanded, Charles himself was placed by the insurrection in the most unpleasant situation ; for, though he had not the smallest share in its breaking out, yet it was believed that he and his Counsellors had a hand in it, in order to maintain unlimited power by means of the Catholics, and to paralyse the efforts of the English and Scotch Protestants in favour of liberty. Nay, it was affirmed, with deliberate falsehood, that on the 1st October, 1641, he had given instructions to sequester the estates of all the Protestants in Ireland, and to arrest them. Because his declarations to the contrary did not meet with entire credit, he, in order to remove all suspicion, left to the English Parliament, even while he was still in Scotland, the entire direction of Irish affairs. Accordingly, it resolved, on the 8th December, 1641, that the Roman Catholic religion should no longer

be tolerated in Ireland : it resolved, in February and March 1642, that two and a half millions of acres of land in Ireland should be confiscated, in order to defray the expenses of the war. On the 23rd February, it ordered, word for word, as follows : “ All Rebels, as well as their adherents and favourers, shall be wounded, killed, put to death, and annihilated by all means and ways ; all places, towns, and houses, where the Rebels abide or have abode, or where they have been protected or assisted, shall be plundered, laid waste, pulled down and burnt,—all the hay and corn in them shall be destroyed, and all the inhabitants able to bear arms, shall be killed !”

It is an almost inconceivable, and surely most humiliating fact, that men who with suspicious anxiety watched for the preservation of their own liberty, and endeavoured by every means to extend it in England and Scotland, should, in mad infatuation and culpable arrogance, have issued for their Irish fellow-citizens ordinances of so barbarous a kind that obedience was impossible, and resistance a duty. But before we proceed with the history of Ireland, we must return to that of England and Scotland.

Though the Irish insurrection was very unwelcome to the King for many reasons, and the remote possibility of one day deriving advantage from it entirely disappeared before the present evils, Charles, when he set out from Edinburgh for London, entertained the most flattering hopes ; for Scotland he

believed was entirely pacified and gained, and England, if moderation and prudence did not entirely vanish, must likewise consider his concessions as sufficient for the foundation and protection of true liberty. And in fact, even before Charles's departure for Scotland, all those evils had been remedied by laws which had been originally and justly complained of; for instance, the Star Chamber, which judged without a jury, and often in a selfish and too rigorous manner; the Court of High Commission, the arbitrary levying of taxes, especially of tonnage, poundage, and ship-money, the severe application of the forest laws and feudal customs, the oppressive increase of the army, &c. But, in particular, by the law on triennial Parliaments, and the non-dissolution of the one now sitting, the preponderance of power had been so transferred from the King to the two Houses, that he might justly say he had already granted so much that there would be no reason to wonder if he now refused something. "I shewed, says he in another place, by confirming those laws, the highest confidence, and hoped that I had for ever turned suspicion and jealousy out of doors. But I certainly did not mean to turn out and exclude myself."

In proportion as the King's courage and his popularity, especially in London, increased, the apprehensions of the timid and over-zealous were revived, and three days before his return from Scotland, on the

22nd November 1641, a struggle on this subject took place of such duration and violence as had never before been seen in Parliament. One party wished to address a Petition and Remonstrance to the King, while the other objected to both. In the Petition they requested that Charles would draw up all resolutions in a Parliamentary form; that he would remove the Bishops from the Upper House; and all evil-minded, wicked, and suspicious persons from his Councils, and employ only those who had the confidence of the Parliament; lastly, that he would annex to the Crown the estates to be confiscated in Ireland, in order to defray the expenses of the war. The Remonstrance contained a circumstantial enumeration of every evil which had been anywhere mentioned or touched upon since Charles's accession to the throne, put together above two hundred grounds of complaint, and affirmed that the King was surrounded by a wicked party, which wished to change the religion, calumniate the Parliament, and had been for years the cause of all evils. It is necessary, said the advocate of these two documents, to lay them before the King and the people, that they may learn how matters stand, and that no fault of the Government may be concealed. All the new better laws have been only extorted from the King. The inclination to abolish them still exists; incapable Counsellors are still listened to, and large sums expended, in order to obtain means to put down all liberty. The preceding

conduct of the King in England, and his endeavours to draw Scotland into his own interests, authorize severe censure, and produce the necessity of demanding more ample security for their rights and greater power. To this the moderate replied: That the evils complained of were removed, and no reason existed again to enumerate them with such malicious accuracy and detail, and to complain of them. That they hereby offended the King, destroyed that reciprocal confidence which was so necessary, and impelled everything to a violent breach, while all that was really salutary might be obtained by an opposite moderate course. Sir Edward Dering, otherwise a warm adversary of the Court, said on this occasion: "This remonstrance, if it is carried, must make such an impression on the King, the people, and the Parliament, our contemporaries, and posterity, that no time can efface it, so long as history shall be written and read. Let us not rashly and inconsiderately resolve on anything that must afterwards be subjected to a long and rigorous examination. In the whole kingdom there is not a single person who requires or expects such a declaration. All are grateful for what has been already done, and rely on you for the future. Who would dream of a representation, a remonstrance, turning to the lower classes, that it would relate histories to the people, and speak of the King in the third person. I do not see the object of such a proceeding, at least I hope that I do not see

it ;—and, if the whole is without object, the single points may be more rigorously contradicted. Thus, for instance, it is said, the Bishops had attempted to introduce idolatry into this country. What ? Plain, formal idolatry ? Name, then, the nature of this idolatry. Prove that all the Bishops desired it, or commanded it. Who has seen, heard, or read these commands ? Beware how, in this age, which is so fond of accusations, you attribute to all the faults of a few. It is said that by abolishing the Episcopal constitution of the Church, knowledge and learning will not be discouraged, but promoted and diffused. Fair words, but I see no deeds ! If you could cut up the moon into stars, you would have the same moon in small pieces, but you would have lost its light and its influence. I have cause, so he concluded his speech, to speak very seriously of all these matters ; for I see and I know the great plans which lead into other ways, and my apprehensions are not removed, but increased by this Remonstrance. I vote against it, because a great portion of its contents has not been submitted to any examination, or is unfounded ; because I foresee no good, but only evil consequences ; because we pass over the King, and treat with the multitude, from which the remedy of any abuse can never be expected.”

The speech of Sir Edward Dering was afterwards burnt, and he himself expelled from the House.

The Parliamentary struggle continued from three

o'clock in the afternoon till ten o'clock the following morning, with such vehemence that the members were on the point of drawing their swords upon each other. At length the zealots triumphed by a majority of 159 to 108. It was, says an eye-witness, the sentence of a faint and exhausted jury; but what weight the former attached to the Remonstrance, and how much they intended thereby to place the King in a very unfavorable situation, and to deprive him of his newly-acquired popularity, is evident from the fact, that Cromwell, at the end of the sitting, said to Falkland, that if that motion had not been carried, he, with many who thought like him, would have sold their property, and never seen England again.

Sir Richard Gurney the Mayor, and the Aldermen of London, acted in a directly contrary spirit. As soon as the King had arrived at Whitehall, they repaired thither, with many of the principal citizens, to welcome him, and invite him to the city. The Recorder made, on this occasion, a most cordial and affectionate speech, to which the King immediately replied: "As my voice cannot reach every one, I must wish that you would heartily thank all the good citizens of London for the affection they have shewn me on this day; in fact, I cannot sufficiently express the satisfaction which it gives me, for I now see that all preceding tumults and disorders came solely from the common people, and that the better and greater portion of the city was always loyal, and devoted to

my person and government. I am equally rejoiced to observe that all the false reports spread concerning me, during my absence, have not made the slightest impression upon you. On the other side, I can and will assure you that I return with as cordial and friendly sentiments to my people, and to you in particular, as loving subjects can desire; and I will prove it by governing you all according to the laws of this kingdom, by protecting the true Protestant religion, and, in case of need, by sacrificing for it my life and all that is dear to me."

The entry of the King and his family into London took place with the greatest solemnity. The high officers of state, many lords, all the magistrates, and the most distinguished citizens, took part in it. The city militia lined the streets, the houses were gaily decorated, and amidst the ringing of the bells and the sound of music were heard uninterrupted shouts of "Long live the king! God bless King Charles and Queen Henrietta Maria!" After a grand entertainment in Guildhall, they accompanied the King to his palace of Whitehall, when he embraced the Lord Mayor, and again returned his cordial thanks to him and to the city.

This harmony between the King and the citizens, and the everywhere increasing attachment to his Majesty, increased the anger and the apprehension of the zealots, especially because many affirmed that drawing up and delivering a Remonstrance, without

the participation of the consent of the House of Lords, was dangerous and illegal. Jeffery Palmer, a lawyer, having maintained this assertion with much learning and eloquence, he was committed to the Tower as a fomentor of troubles ; and even then the principle was laid down, that the House of Commons represented the whole kingdom, while the Peers on the other hand were private persons, possessing only private rights ; therefore if they did not do what was necessary for the preservation and safety of the kingdom, the Commons must unite with those Lords who had more sympathy with them, and directly address the King. At the same time, the innovators so vehemently attacked the conduct of London, and contrived to represent it in such an equivocal light, that the Magistrates were obliged to present a declaration to the two Houses, to this effect : As several persons have misinterpreted the expressions of our attachment to the King, as if we intended to adhere to him and to abandon the Parliament, we wish that all the world may know, that we are resolved to live and die with the latter for the general good.

On the 1st December 1641, the Petition and Remonstrance were presented to the King, to which he promised an answer at a future opportunity. On the 2nd December, he went to the House of Lords to pass the bill relative to tonnage and poundage, on which occasion the Speaker of the House of Commons made a speech upon the present state of affairs,

the rebellion in Ireland, the pacification of Scotland, the activity, merits, and loyalty of the Parliament. He then added: The history of these times will appear to future ages like a paradox, when they hear how peace has risen up from the root of discord, and harmony proceeded from disunion and treachery. Two armies in the field, both ready to strike the first blow, and both united without a combat. Nothing can make these truths appear credible, but the knowledge of your Majesty's piety and justice, which have accomplished these wonders by kindness and courtesy, without employment of violence and force. This mode of conquest, this war without bloodshed, has been the rule of the most powerful and valiant monarchs; and your glory is more increased by the preservation of one subject, than by the death of a thousand enemies. So you have erected to your sacred memory a monument of glory for all future ages. The object of your Commons is, guided by your pious and religious example, to preserve religion in its purity, without mixture and addition, against subtle innovators, and with their lives and fortunes to establish the throne, and to protect your sacred person and the beams of Majesty (your royal descendants) against treachery and sedition! The King replied, to the effect, that Scotland was entirely pacified, and he recommended Ireland to the care of the Parliament. But here, instead of finding, as he had hoped after his concessions, unanimity, quiet, and

satisfaction, he found jealousy, fears, and alarms of dangerous designs. He mentioned this, not as in doubt that the affections of his subjects were lessened, for his reception in London had been a consolatory and happy proof to the contrary; but because he hoped that his presence would disperse these fears. That he had as perfect and true affection for his people as ever any prince had; that he repented of nothing that he had done for the good of his people, and would do it again, if it were not done; and would willingly grant everything else that might be of advantage to true liberty and religion. That he always sought his people's happiness, for their flourishing was his greatest glory, and their affection his greatest strength.

Meantime the House of Commons had, contrary to usual custom, printed the Petition and Remonstrance before the receipt of the King's answer, which offended him again, but perhaps hastened his reply and refutation. The following are some passages: Your Petition contains many things which we cannot admit; nay, which we do not even understand; thus you speak of a wicked and malignant party prevalent in the Government. Whenever facts and proofs were produced, we have always caused even the highest officers to be called to account and punished, but vague insinuations, without the indication of persons and facts, cannot form a ground for any legal proceedings. With respect to the depriving the Bishops of

their votes, and religious reforms, nothing has come to us in a Parliamentary way ; but we are ready to do what is necessary, with the aid of a national Synod. But we are very sorry to hear in such general terms corruption in religion objected, since we are persuaded in our conscience that no Church can be found upon the earth that professes the true religion with more purity of doctrine than the Church of England does, nor where government and discipline are jointly more beautiful and free from superstition, than as they are here established by law ; which, by the grace of God, we will with constancy maintain while we live, in their purity and glory, not only against all invasions of Popery, but also from the irreverence of those many schismatics and separatists wherewith of late this kingdom and this city abounds, to the great dishonour and hazard both of Church and State ; for the suppression of whom we require your timely aid and active assistance. Your desire of not alienating the forfeited lands in Ireland is a proof of your care and love ; but it may be doubtful whether it is seasonable to declare such resolutions at present.

With respect to the Remonstrance, the King observes, “ that the publication of so many grievances was the more ill-timed, as almost all of them had been redressed by his co-operation and assent ; and on his part there was nothing to prevent further reforms. Only an attempt must not be made to overthrow everything under this pretext, and to scan-

dalise and defame the pious authors of the English Reformation ; but to check and put down the insolent speeches, writings, and sermons, by which the peace of the Commonwealth is disturbed. As we have embraced every opportunity (so the King continues) to make our people more happy, we hope that they will, with equal delicacy and readiness, confirm our rights and maintain our honour, on which their own safety and preservation so essentially depend. If, on the other hand, the laws are violated, or disregarded and undermined upon specious pretexts, misery and confusion must everywhere ensue. Therefore no declaration can be more acceptable to the people than ours, that we are resolved, not only duly to observe the laws, but to maintain them against all opposition, even at the hazard of our life.

“ Lastly, we conjure all our good subjects, of what degree soever, by all the bonds of love, duty, or obedience that are precious to good men, to join with us for the recovery of the peace of that kingdom (Ireland), and the preservation of the peace of this ; to remove all their doubts and fears, which may interrupt their affection to us, and all their jealousies and apprehensions, which may lessen their charity to each other, and then (if the sins of this nation have not prepared an inevitable judgment for us all), God will yet make us a great and glorious King over a free and happy people.”

Notwithstanding these warnings and recommenda-

tions, new alarms and disputes daily arose. Thus a bill of the Lower House respecting the formation of the Irish army met with difficulties in the Upper House, because it was stated in it that the King had no right to levy troops, unless in cases of war with foreign powers. As Charles was extremely desirous to hasten the armaments, he suffered himself to be persuaded, probably by the malicious advice of the Attorney General St. John, to go to the Parliament in person on the 14th December, to recommend that the bill might be passed as soon as possible, reserving his and their rights. The two Houses took no notice of the well-meant objects of the King's proposal, but attending only to the form, declared unanimously that it was a violation of their rights if his Majesty took notice of a bill still pending, proposed alterations, or expressed his displeasure against some persons for matters moved in the Parliament; and they desired that he would punish those who had wickedly advised him to take such a step. The King, who after what he had experienced on a former similar occasion, might and ought to have foreseen this result, declared, on the 20th December, that he had no intention whatever of infringing the privilege of Parliament by his speech of the 14th, but only wished to bring about more speedy resolutions, and to facilitate their agreement with each other. Neither had he intended to express any displeasure with a Member of Parliament for his proposals or votes. The question

how he had obtained the knowledge of the bill was easily answered, because it was already printed ; nor would he ever require a man of honour to be an informer. If they were as little disposed to infringe his right as he was theirs, there would be no further dispute upon that subject. The bill, however, passed without reserving his right, and he gave his assent to it, in order to allay the ferment in people's minds.

At this same time the attacks upon the Bishops, which we have above related, occurred, as well as the dispute with the King about the appointment of a Governor of the Tower, and the Guard of the Parliament.⁽³⁴⁾ While the party attached to the King complained that the Commons disdained no means by speaking, writing, printing, preaching, &c., to inflame the people, to excite sedition of all kinds, to free the guilty, and to impede and to disturb the Magistrates of London in their useful exertions ; it was replied, on the part of the Commons, that these reproaches were rather merited by the accusers, and that the Members of Parliament therefore lived in great apprehension. An impartial examination shews, that the Commons did not agree to the laudable proposals of the Upper House for preserving public tranquillity, partly because many believed that they recognised in the voice of the people the voice of God ; nay, that others directly favoured those disturbances, and considered the mob as a necessary and useful ally. Even Pym declared : “ God forbid that we should deprive our

adherents of their courage, at a time when we ought to make use of all friends whatever." The same man had said before, the law makes the difference between good and evil, between just and unjust. If you take away the law, everything falls into confusion, and licence, envy, ambition, fear, then take the place of law, whence the most pernicious consequences must ensue. On the other side, as the lawlessness of the people increased, and young noblemen and officers thought it to be their duty to step forward in defence of the King, in which they too, both in words and deeds, went beyond due bounds, the party names of *Cavaliers* and *Roundheads* arose.

On the 28th December, the King issued a serious proclamation against riots and disturbances; and on the following day Mr. Smith again brought forward the subject in the Commons. He began by saying: "Permit me to draw your attention to some impediments which oppose a more rapid discussion of important affairs. We have received not only sensible petitions of worthy men, but others from idle and ignorant people, which deserve no attention whatever. Still more offensive, however, is the riotous assemblage of the populace that surrounds the House, and wickedly attempts, with outcries and violence, to prescribe to us what we shall do, or not do; whom we shall accuse, or not accuse. Our excessive patience encourages and increases this illegal rage; whereas serious measures would easily restore order. These

measures ought to be employed by the Magistrates, and a guard ought to be formed for us, which, in case of need, might disperse the rioters by force." In conformity with this proposal, the Commons presented to the King the following petition: "We, your Majesty's dutiful and loyal subjects, who are ready to give our lives and property and the last drop of our blood to maintain your throne and person in greatness and glory, throw ourselves at your royal feet, to express to your Majesty our humble wishes respecting the great apprehensions and just fears occasioned by wicked intrigues and the design of ruining us; for threats have been uttered against single individuals, and attempts made to destroy all. There is a malignant party which is bitterly opposed to us, and which daily gains confidence and strength, and has already dared to imbrue its hands in the blood of your subjects at the gates of your Majesty's palace, and in the face and at the doors of the Parliament, and has even used threats and insolent language towards the Parliament. We therefore petition your Majesty immediately to provide a guard for the protection of Parliament, under the command of the Earl of Essex."

The King, in his answer of the 3rd January 1642, complains of the continued suspicions and unfounded apprehensions. That he was wholly ignorant of the grounds of them, and solemnly assured them, that if he had, or should obtain, any knowledge or reason to

believe, the least design of violence against them, he would punish it with the same severity and detestation as if it was the most heinous attempt against his Crown. He solemnly pledged his royal word that the security of all the Members of Parliament, and of each of them, from violence, was as much his care as the preservation of himself and his children ; and if this general assurance should not suffice to remove their apprehensions, he would command such a guard to wait upon them as he would be responsible for to Him who had charged him with the safety and protection of his subjects.

On the same day in which Charles made this solemn tranquilizing declaration, Sir Edward Hubert, the Attorney-General, appeared in the House of Peers, and acquainted them that the King had commanded him to accuse of high treason Lord Kimbolton and five members of the House of Commons, viz., Sir Arthur Haslerig, John Hampden, Denzil Hollis, John Pym, and William Strade. They were accused of endeavouring to subvert the constitution ; to make the King odious by calumnies ; to seduce the army ; to excite war at home and abroad ; to alarm the Parliament by concerted riots, and to govern it at their pleasure. At the moment when Deputies from the House of Lords gave notice to the Commons of this circumstance, the Sergeant-at-arms, Mr. Francis, appeared and demanded, in the name of the King, the arrest of the persons accused. The Com-

mons replied they would immediately take this important affair into their most serious deliberation, and return an answer, in all due submission, as soon as possible, and also take care that the five members should answer every legal accusation. Their arrest was refused, and it was resolved, with the assent of the Lords, that the seals which had been affixed by the King's order to the doors and papers of the accused, should be immediately removed, and that they themselves should appear in their places in the House as usual. Every arrest of a Member of Parliament, said they, is illegal and null; however, they will be produced to answer to every just and legal process, as we are all as ready, as in duty bound, to do justice against evil-doers, as to defend the rights and liberties of Britons and of Parliament.

Not taking warning by this declaration, the King, in his anger, resolved to effect the arrest of the five members himself, in the House of Commons, on the following day.⁽³⁵⁾ But they received information of this secret plan, either through the Countess of Carlisle or the French Ambassador, on which they were ordered by the House to withdraw, in order to prevent any violence being used. Immediately after, the King appeared with numerous attendants, who, however, stopped at the door, when he went in, seated himself in the Speaker's chair, and made the following speech:—"I am sorry for this occasion of coming among you. Yesterday I sent a sergeant-

at-arms to apprehend some persons accused by my command of high treason, to which I expected obedience, and not a message. And I must declare unto you here, that albeit no King that ever was in England shall be more careful of your privileges than I, yet you must know, that in cases of treason no person has a privilege; therefore I am come to know if any of the accused persons are here. For I must tell you, that as long as these persons are here, I cannot expect that this House will be in the right way." The King asking the Speaker whether the accused were in the House, or where they were, Lenthal fell upon his knees, and answered—"I have in this place neither eyes to see, nor a tongue to speak, except what the House, whose servant I am, commands me; and I beg your Majesty's pardon that I can give no other answer."

"I see," continued the King, "that the birds are flown, and expect from you that you will send them to me as soon as they return; but I assure you, on the word of a King, that I never did intend any force, but shall proceed against them in a fair and legal way; and as I cannot do what I came for, I think fit to repeat what I have said formerly, that whatever I have done in favour and to the good of my subjects, I intend to maintain it. I will trouble you no more, but tell you that I expect that as soon as they come to the House, you will send them to me, otherwise I must take my own course to find them."

At the moment when the King left the House many called after him, "Privilege! privilege!" and were doubly angry when they heard what rash and threatening language his attendants had used in the lobbies. Equally irritated, Charles went on the following day, the 5th of January, to Guildhall, and confiding in the attachment that had been shown to him, hoped to carry his plan by means of the magistrates and citizens. But here too he failed, and on his return from Guildhall he heard on all sides cries that he ought to agree to the Parliament and not violate its rights.

On the same day the House passed the following resolution :—"Yesterday, the 4th of January 1642, his Majesty came to the House of Commons, accompanied by a great number of persons, armed with halberts, swords, and pistols, who occupied the doors and avenues of the House; to the great disturbance and terror of the Members, who, according to their duty, where there in a peaceable and orderly manner, deliberating on the public affairs. His Majesty seated himself in the Speaker's chair and required that several Members should be given up. This is a gross violation of the rights and privileges of Parliament, incompatible with its safety and liberty; wherefore the House declares, that it can no longer meet without full satisfaction for that violation of its rights, and a guard deserving of confidence, which it had hitherto requested in vain."—Hereupon the Commons

adjourned till the 11th of April, and appointed a Committee for the further management of this affair in particular.

Almost at the same time, the City of London presented a petition to the King, to the effect that he would give aid to the Protestants in Ireland; place the Tower in the hands of persons worthy of confidence; remove suspicious persons from Court; grant a guard to the Parliament; and not proceed against the five Members, except according to the legal forms. In his justification the King issued a declaration, and ordered the arrest of the five Members, who, conscious of their guilt, had absconded and would not surrender to justice. But in the meantime the Members had defended themselves at length before the House of Commons, which, in increasing animosity, now likewise printed a narrative of the transaction and a counter-declaration. The King, it says, appeared with more than 500 armed men, who pushed aside the doorkeepers, and used very offensive and threatening expressions, for instance, "the plague take the House of Commons, let them come and hang themselves—when will the word be given?" &c. If this word had been given, they would have fallen upon us and cut our throats. All this proves treacherous plans against the King and Parliament. The accused have indeed withdrawn, to avoid many inconveniencies, with the consent of the House of Commons, but not in consciousness of their guilt.

They can now again appear in the House, and every one may harbour and receive them, under the protection of the Parliament. On the other hand, a declaration which has been published respecting these matters, is false, scandalous, and illegal. The affair, says another passage, is a breach of the rights of Parliament, a scandal for the King and his Government, a riot for the destruction of peace, as well as an act of injustice, and a calumnious insult to the five Members, as there are no legal grounds for the accusation. The King therefore is called upon to name the advisers and authors of these proceedings, that they may be called to account and punished.

As the King did not agree to this, and the Attorney-General Hubert confessed that he had merely executed the King's commands, though he possessed and knew no proofs of the accusation, a criminal prosecution was instituted against him, and he with his associates was declared an enemy to the country. The King on his part again affirmed that he had no intention of violating the rights of Parliament, nay that he was ready to let the whole accusation drop, and to proclaim a general pardon. He was answered that the innocent needed no pardon, but that the guilty authors must be named and punished.

Thus pressed on every side, blamed by all, and alarmed by the tumults which took place even in the vicinity of his palace, the King resolved to leave London till the ferment should be allayed. In fact

he abandoned the field to his adversaries, and did not see his capital again till he was brought to it as a prisoner. On the following day, the 11th of January, the five Members were brought back to Parliament in triumph. All these highly important events have been judged of in very different ways. The defenders of the King say: It was his duty to seize the chiefs of his opponents, and thereby to set bounds to the spread of the revolution; if this plan had succeeded, he would have received, instead of reproaches, the greatest praise; the House of Commons did not hesitate to act against Strafford and the Bishops in the manner which was now imputed to the King as a crime, as if the Sovereign was not permitted to do what the subjects considered as an honour. On the other side, the King's adversaries saw in his conduct the greatest want of faith, and entertained no doubt that, if he recovered his power, he would revoke all his concessions, and cruelly punish all the friends of the people.

The attempt against the five Members, whether it originated with the King, or whether the advice of the Queen and of Lord Digby contributed to it, was certainly rash, ill-timed, and injurious; for, supposing that their views and principles appeared erroneous, or that they might or must lead to disastrous revolutions, yet none of them had participated in any special crime, or it had been wholly covered and effaced, by the assent of the majority of the House, by subsequent laws and amnesties. (²⁶) It was a more than equivo-

cal proceeding that the King, on the same day on which he solemnly guaranteed the security of all Members of Parliament, and promised to call none to account for their opinions and votes, decided to arrest those men on account of their opinions and votes. But the assertion that high treason took away all Parliamentary privilege signified nothing, when the King was so far from being able to prove the accusation, that he was, at length, obliged to ask leave to drop it. Or, if in reference to those wholly indefinite accusations, some points might have been proved, yet those single points could have much less amounted to high treason than in the case of Strafford; and how could the King imitate what he had justly condemned in the case of Strafford and the Bishops? How could he attempt acts of violence which he had no means of executing; and which could not fail to end in his total defeat? "I did not think of war," said Charles in the sequel, "but the increasing tumults destroyed all freedom and order, and drove away *me*, the best defender of the public welfare, while everybody else loudly proclaimed his pretended services. But in truth some aimed at innovations, others despaired of relieving their indigence, or gratifying their ambition, in peaceable times, for they confided neither in the providence of God, nor their own merit, and thus became the secret but most effectual authors of popular tumults." Now though this view of the case is by no means destitute of truth,

it contemplates the great and comprehensive events from a point of view which is as certainly too low as when Charles's adversaries represent his adherents only as proud malicious fools, and equally deny all higher and more comprehensive views and motives. (³⁷) The King, however, in consequence of his unfavorable position, publicly assumed a very different tone, and on the 20th January sent a message to Parliament, desiring them to comprehend all their grievances and wishes at once in one representation, that he might understand them all, that suspicions and calumnies might cease, and he might shew how ready he was to exceed the greatest examples of the most indulgent princes in their acts of grace and favor to the people.

This offer of the King excited the greatest joy, and the House of Commons, in the petition of the 19th of February, stated most of its demands: That the King would appoint to offices only persons whom the Parliament proposed to him, and remove all others; that he would not listen to the advice of the Queen respecting the affairs of the State or the Church, and would lay before her an oath drawn up for the purpose; not conclude a marriage of a prince or princes without the consent of Parliament, would not go out of the country, would punish Catholic Priests according to the laws, exclude the Catholic Lords from the Upper House, sell no offices, and nominate no Peer without the consent of the House. Not to

mention that the granting of these demands would have placed almost the whole administration in the hands of the House of Commons, they interfered in the personal and family affairs of the King. About the same time a letter from Lord Digby to the Queen was opened by order of Parliament, and an accusation of treason brought against him in consequence. The Queen wrote very politely that she left the letter and the judgment to the House of Commons, and only requested a copy. The House, in its answer, laid indeed all the blame upon the Lord, but begged her not to listen to him and others of the same opinion. After such experience, the Queen set sail without delay, (lest a prohibition might be given) with her daughter Mary, for the Netherlands; and, as her adversaries affirmed, took the crown-jewels and other valuables with her, in order, in case of need, to use them for hostile purposes.

Meantime the attacks against the Constitution and the Church were renewed with the greatest warmth. Already, on the 4th of February, a brewer's wife, in the name of many gentlewomen, merchants' wives, and other females, presented a petition against the blood-thirsty Papists and Prelates. They said they had a right to give their opinion in these matters, because Christ had redeemed them as well as the men, as they shared in all the sufferings of the State as well as the Church, and that Esther and other women were to be considered as their models. Pym answer-

ed, in the name of the House of Commons: " Good women, your petition, with the annexed arguments, has been read ; it has been received with thanks, and found seasonable." In general, many petitions were received at this time, with increasing demands from different parts of the country, which Parliament readily received when they coincided with its views ; otherwise rejected them with censure. Petitions from apprentices, sailors, and porters against Catholics and Prelates were readily listened to ; offensive songs against them were publicly sung, and dogs with black and white heads were called Bishops.

On the 5th of February the bill against the Bishops (that is the *first*, not the root and branch bill) was passed by the Upper House, only three of them having formally opposed it ; and when Charles did not immediately grant the assent which they required, an urgent application of the Parliament was made, on the 8th of February, to hasten so necessary and important a business, for the exclusion of the Bishops from the Upper House and from civil offices would cause the greatest satisfaction and unanimity, and be a pledge that the King thought favorably of the proposed improvements. If the King, so said even many courtiers and persons in office, opposes this irresistible attack, more violent proposals will follow for the destruction of the whole episcopal system ; whereas concession will render the Parliament more favorable in other points, for instance, the militia.

For these, and similar other reasons, Charles gave his assent to the bill, on the 13th of February, without however attaining his object or gaining general approbation ; for, while he did not convert any adversary, he lost many adherents, and gave ground for the belief that there was no security for the latter, because every thing was to be obtained from him, and he aided in covering what was extorted by force with the appearance of legality. The opinion of some, that Charles might, under more favorable circumstances, declare everything to be null and void, doubled the suspicions, and rested in the main upon a deception ; for while he might, according to the laws, at this moment refuse his assent, he could not when it was once given take it back without a formal resolution of Parliament, and such a resolution was not to be expected.

Still more important in their consequences than this bill against the Bishops were the demands and disputes respecting the army and the militia. Only two days after the departure of the King from London the House of Commons issued orders to the Governors of the Tower, and of the town of Hull, not to do any thing without the command of Parliament ; and on the 25th of January, though the Lords, after a long interchange of notes, refused their consent, it requested that the King would place the fortresses and the militia in the hands of persons in whom the Parliament confided. On the 7th February, the King

declared that he would give the chief command to the persons whom the Parliament recommended, if the extent of their power was first determined, and there was no one among them to whom he had any important objection. In the debates upon this answer, Whitelock said: The power of the sword against the ill-disposed always appeared salutary; but is dreadful in the hands of the evil-disposed, or of the soldiers. Therefore the military power shall not be confided to the King alone or to the Parliament alone, as is even now not the case; for without money, the granting of which depends upon the Parliament, the King can do nothing.

On the 9th of February, 1642, a new bill on the militia was passed, and two days afterwards a lord-lieutenant appointed by the House of Commons for each county, whose commission is in the following terms:— As a most dangerous and desperate plan has lately been formed, in consequence of the sanguinary counsels of the Papists and other evil-disposed persons, and as in consequence of the Irish Rebellion, and for other reasons, sedition and war are to be apprehended, therefore, for the safety of the King, the Parliament, and the kingdom, power is hereby given to N. N. by the King and *both Houses*, to call together all his Majesty's subjects in the County to arms, exercise them, and to appoint or dismiss officers. He is to expect further orders from the King and *both Houses*, and his power shall continue till it be otherwise ordered or declared by *both Houses* of Par-

liament (the King is not mentioned here), and no longer.

These resolutions of the Commons undoubtedly contained a very essential innovation and limitation of the King's power; and while the former alledged the wants of the present time, and the wants of the future, the latter dwelt chiefly on custom and possession. Yet both assumptions were not free from all objections. In the first case, the future utility of the changes was more supposed than proved; and in the latter it might be said that, properly speaking, there never had been a standing army in England, and a law of the reign of Edward III. prohibited the raising of soldiers without the consent of Parliament. But then this had often been done during the time of the Tudors without objection, and the Parliament had never been allowed to have any share in the military administration. When these resolutions were submitted to the King for his approbation, he answered, on the 28th of February, in substance as follows: The preamble, which speaks of dangerous and desperate designs against the House of Commons, contains a reproach upon my conduct and appearance in Parliament, respecting which I have already sufficiently declared myself. I repeat it, that I had given express orders not to offend any one, nay even to bear any provocation without returning it. I was attended only by my usual guard, armed in the customary manner; others who were present wore only swords, according to the custom of the country, and the rash and indis-

creet expressions of young men in my train will scarcely be attributed to me. I am ready to give the command to the persons proposed; but, if it is intended at this moment to enlarge the power they formerly possessed, it appears reasonable to me that the same be by law first vested in me, with powers to transfer it to those persons. But I consider it as not advisable to put such great power in the hands of any other person for an indefinite time.

After receiving his answer, both Houses resolved that it contained an absolute denial of all their proposals; that it put peace and security to hazard, unless a remedy was provided by the wisdom and authority of Parliament; all who had advised it were enemies to the King and kingdom. To these and other complaints and demands, the King replied, on the 2nd of March: I am so much amazed at this message, that I know not what to answer. You speak of jealousies and fears; lay your hands upon your hearts, and ask yourselves, whether I may not likewise be disturbed with fears and jealousies; and if so this message has nothing lessened them. My answer respecting the militia contains all that in justice or reason you can ask, or I in honor grant, and I shall not alter it in any point. I would willingly reside near you, but say yourselves whether I had not reason to remove from Whitehall? In conclusion I assure you that I have no thought but of peace and justice to my people, which I shall by all fair means seek to preserve

and maintain, relying upon the providence of God for the preservation of myself and rights.

Disregarding these objections, the bill on the militia passed both Houses of Parliament, with the addition that it should have legal validity without the King's assent. One of the Lords expressing a doubt whether this was not contrary to the oath of allegiance, it was read, and the question resolved in the negative. No attention was paid to a protest of sixteen Lords, or to the objections of Hyde and other prudent men in the Lower House. Two days later, both Houses represented to the King the grounds of their suspicion and fears, in a declaration which recalls to mind the former remonstrance. They mention danger to the Protestant Church, the influence of the Jesuits, the negociations of the Queen in Rome, the war against Scotland, rebellion in Ireland, endeavours to gain the army, and to employ it against the Parliament, the unjust accusation of the five Members, the refusal to name the authors of it, or to prove its truth, the ill-conduct of the royalists towards peaceable citizens, the reinforcement of the royal guard, and the refusal of a guard to the Parliament; manifold advertisements from letters that had been opened, accounts from Rome, Venice, and Paris, of violent designs, extraordinary levies, calumnies of the Parliament, the retirement of the King from London, and preparations for internal war.⁽³⁸⁾ "We have," they continue, "according to your Majesty's desire,

laid our hands upon our hearts and examined our consciences ; but neither in our thoughts nor actions can we find anything that should lead the King to doubt our loyalty and good sentiments. If, in place of general accusations, his Majesty will state any particulars, we will give a clear and positive answer ; but if the accusations turn out to be false, the King must not trust to evil counsellors and calumniators, but give them up to be tried and punished as they deserve. An easy and safe way is open to the King to happiness, honor, greatness, plenty and security, if he will sincerely join with the Parliament and his faithful subjects, in defence of religion and the public good. This, with his necessary and salutary return to London, is all that we ask and request of him."

When this declaration was laid before the King at Newmarket, he said, among other things :—" God in his good time will I hope discover the secrets and bottom of all plots and treasons ; and then I shall stand right in the eyes of my people. What would you have ? Have I violated your laws ? have I denied to pass any bill for the ease and security of my subjects ? I do not ask you what you have done for me. Have I not offered a general pardon to all ?" In the course of conversation, the King said, with very animated gestures : " The declaration of the Parliament is no means to induce me to return, and in the whole rhetoric of Aristotle there is no argument of this kind. The affairs of Ireland cannot be

put in order by four hundred persons, but must be confided to one; and, though I am myself a beggar, I will procure the means to do it, and accomplish the work." The Earl of Pembroke asking what he required, Charles answered, a schoolboy must be whipped who cannot answer that question. Being then asked by the Earl whether he would grant the militia, as was required by the Parliament, for a time; he answered, "No, not for an hour."

Three days after this conversation the King sent a message to both Houses, in which he said that he was resolved to observe all the laws, and to require obedience to them from his subjects; but that no law could be valid or have authority without his assent. In reply to this, the Commons voted that those who had advised the King to send this message, and to keep at a distance from London, were enemies to their country; that when the two Houses declared anything to be law, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of Parliament.

The Parliament, in its excessive zeal would not observe that the King's declaration was conformable to custom, to law, and to reason; theirs, on the other hand, abolished the Constitution in one of its most essential points, and was just as unreasonable as the demand of Charles, which had formerly been so severely censured, that his proclamations should

pass as laws without the consent of Parliament. But if the House of Commons went too far, there was the more reason to expect that the Upper House would put a check upon its proceedings, as it had before disapproved of the demand respecting the militia. On this account Pym concluded a much-admired speech, on the 25th January, with the words, "If the Upper House holds back, the Lower House must do its duty. Then history will testify how it was compelled to save the kingdom alone, and the House of Peers have no part in the honour." Intimidated by these and similar expressions, and blind to its own real advantage, the House of Lords acceded to those unjust resolutions relative to the legislation.

On the 21st March, the King's answer to the apprehensions of the Parliament was received, in which he says "We would wish that our own immediate actions which we avow, and our honour, might not be so roughly censured and wounded, under the common style of evil counsellors. We have sufficiently declared against Popery, and have so settled the affairs of Scotland that we hoped no more would be said of them. No credit ought to be given to the calumnies respecting my participation in the Irish rebellion; but they should be punished, and our words believed. There is no truth in what is said of a conspiracy in the army. We only gave our assent to a humble petition. With respect to the measures against the five Members, if it had been a greater

breach of privilege than ever before offered, our acknowledgment and retraction has been greater than ever King has given, and we did not examine how many of our privileges were invaded in defence of those of Parliament. Dangerous riots gave us sufficient grounds to strengthen our guard. The bill for the prolongation of the Parliament is the greatest proof of compliance, and we would willingly return as soon as, with its aid, we can expect peace and security in London. If this should seem difficult, we are very willing to assemble the Parliament in some other place. We by no means absolutely rejected the proposals relative to the militia, but only called your attention to some necessary emendations, in which we did not exceed our rights and duty."

The Parliament endeavoured, in subsequent representations, to refute all this, and said: The King does not violate the laws, but others do it in his name; and we have always shown our gratitude for what he has granted. A general pardon is no security against our fear, because it is not directed against him but the wicked plans of others.

During this correspondence, in spite of all the violent language, nothing serious was done to suppress the Irish insurrection, which was becoming more and more general. For which reason, the King proposed, on the 11th of April, to go himself to Ireland, and put an end to the troubles. But the Parliament, fearing that Charles would form and

gain over a Protestant army, or would reconcile himself with the Catholics on advantageous terms, sought for all kinds of specious reasons to decline the proposal. The King, they said, exposes himself without necessity to danger, and encourages the rebels, who boast of his support ; encourages suspicion, increases expence, and interrupts the course of business. Therefore no levy, carrying on of war, or appointment by the King, must be approved or tolerated ; but the kingdom must be governed with, and according to, the advice and regulations of the Parliament. Charles refuted all these objections, and added : “ I wish the Parliament would weigh its demands, messages, and expressions, with the same strictness and accuracy as I do. It would then perceive on its side many innovations, on which I will not dwell at this moment.”

About the same time an event took place which necessarily afforded Charles grounds for new complaint. As far back as the 12th January, the House of Commons had ordered, as we have seen, that the town of Hull, which was amply provided with military stores, should not be delivered up to any person without an order from the King, given to the Governor through Parliament. This resolution was communicated to the King for his information, without his having been previously consulted ; and on the 15th April written orders were sent to Hotham in Hull, and in the same manner to all the sheriffs and officers in the country, to obey only the commands

of the Parliament. Charles hereupon appointed the Earl of Newcastle governor of Hull in the room of Hotham, but he was not received ; nay, the King himself was, contrary to all example, refused admittance at the gates. On the 26th April, a message from him was presented to the Parliament, stating that on the 23rd April he desired to see the stores at Hull, and dispose of them for the public service in the north of England and Ireland ; but that Hotham, though he was unable to produce any written order from Parliament, had refused to admit him and only twenty attendants ; that, on account of such conduct to his King and master, Hotham had been declared a traitor.

This account agrees in all the essential points with that of Hotham. The latter declared on his knees from the rampart that he could not admit anybody without breach of the confidence placed in him by Parliament. For, though the King was not named in its orders, there could be no doubt whatever of their sense and object. Hotham, too, was certainly in great embarrassment when the Mayor and citizens appeared on the rampart, contrary to his orders ; and it was apprehended that the King might persuade them by his friendly language. ⁽³⁹⁾

Far from appeasing Charles's just anger, by giving a plausible turn to the affair, and trying to effect a reconciliation, the Parliament, immediately on receiving the Royal message, declared that Hotham and

the citizens of Hull deserved commendation for their conduct, which tended to the preservation of peace; it promised rewards to the soldiers, and ordered a copperplate to be burned by the hangman which represented Hotham triumphant on horseback upon the rampart, and the King on the outside begging for admittance, on foot. The Parliament wrote to the King that he should not see in Hotham's conduct any violation of his authority, but a just cause to unite with his Parliament for the preservation of peace, and the suppression of a wicked and malignant party, which is the cause of all the dangers and misfortunes. That this object would be the most easily attained if the King would assent to the Bill relative to the militia, give up his plan of going to Ireland, come to London, and convince himself that the declaration that Hotham is a traitor is a breach of Parliamentary privilege and of the laws of the land.

Proceeding in the same course, the Parliament passed, in May 1642, the following resolutions: "The bill on the Militia shall be law, without the consent of the King. He is not entitled to summon a free man, and he who takes arms by his orders shall be considered as committing a breach of the peace. No person henceforth raised by the King to the Peerage shall have a seat and vote in the Upper House. Charles's plan to levy war against the Parliament is a breach of the confidence placed in him by the people, as well as of his coronation oath, and aims at the

subversion of the Constitution. Every person supporting him in it is a traitor. The King, like his predecessors, must confide only in the fidelity and affection of his subjects, and give up all violent plans, otherwise we think ourselves bound to maintain justice, peace, and order by all the means in our power." All these violent proposals and resolutions were not only approved of by the Lords, but some of the most violent even originated with them.

The King did not delay replying to the complaints that were made, but wrote to the Parliament an answer, in which are the following passages : " You consider everything as a breach of your privileges ; nothing as an infringement of my rights. You declare everybody, previous to all proof, at your own discretion, a traitor ; I, on the other hand, am expected to be silent to the most notorious faults. Were your apprehensions just, which they are not, they could not dispense with and destroy the laws. Give up at length indefinite accusations, name those whom you call evil counsellors, and prove that they are such. You tell me I ought to cherish no suspicion of the great council of Parliament. I cherish no more against you than you against me your King ; and besides, my reproaches relate only to troublesome and ambitious persons. You require me to confirm your bill upon the militia ; but had the Parliament ever a right to interfere in these things, and even to direct them ? And have I not learnt, from Hotham's

example, how foolish and dangerous it would be to give such exorbitant power to single persons. Instead of making the breach wider, and using language more and more bitter, you ought to labour for a reconciliation; but, in spite of the completest satisfaction, you always return to the history of the five Members, and represent it, as if I had thereby forfeited all right to obedience, and every subject were released from all his duties towards me. If the majority of the Members of Parliament might, by a mere declaration, set up anything as incontrovertible right, what security would there be for any right already existing? I therefore conclude my justification with the words of Pym, which ought to be duly taken to heart by you: 'If the King's prerogative overcomes the liberty of the people, tyranny ensues; and when the King's prerogatives are undermined, anarchy follows.' "

In the debates on this message, some urged for moderation and reconciliation, and Lord Bristol among others spoke very forcibly of the danger and distress of the times. The greatest difficulties lay not in the facts themselves, but in mutual distrusts and unceasing misunderstandings. Two armies, which were forming, must ruin the country, and conflicting orders from the King and the Parliament must endanger the conscience and happiness of every individual.

The result of the debates was two declarations

from the Parliament of the 21st and 26th of May. The former says : If the King denies the existence of evil counsellors, we must impute the blame of what has been done to him, which would be as contrary to the laws as to the feelings of our hearts ; the kingdom ought never to be destitute of the means of its preservation, and to procure these is the business of the King and the Parliament. But as the former, being an individual, is more liable to the accidents of nature and of chance, and the multitude must not be left without rule and guide, Parliament has been furnished with power to supply that which is wanting on the part of the King ; and when both Houses have declared that such a state of things exists, this declaration requires no further confirmation, and cannot be revoked or abolished by any other. It is therefore to be wished and hoped that the King will not suffer himself to be guided by his own judgment in public affairs, but by the great council of the nation ; the two Houses of Parliament, which are the two eyes of the nation.

The second declaration of the 26th of May relates chiefly to the events at Hull. They say, the King speaks improperly of *his* city, *his* magazines, *his* ammunition, &c. They no more belong to him than to the whole kingdom. From this fundamental error, that kingdoms are the property of Kings, arises all tyranny. But if the King, or others, had such a right to any town &c. the Parliament may, however, take such

measures respecting it that no danger may accrue to the country from such claims. The King is bound by his conscience, justice, and his coronation oath, to sanction every bill laid before him, for he is to remedy all the grievances of the kingdom; but, to decide what are grievances, and whether new laws are necessary, the representatives of the whole nation are the fittest, and the form of rejecting a bill, *le Roi s'avisera*, does not imply an absolute refusal, but only a delay, which must yield on the repeated demands of the Parliament. It is here the judge between the King and the people; the King therefore was wrong in endeavouring to take possession of Hull, without the knowledge and contrary to the will of the Parliament; and what Hotham did was for the advantage of the King himself; and also right, inasmuch, as it was agreeable to the laws. On the other hand, it was unjust to declare Hotham a traitor without observing the legal forms, whence an opinion originates that all those who gave him orders or approved his proceedings were traitors also. Treason may doubtless be committed against the King as King; but treason against the kingdom is more than treason against the person of the King merely. Nor can the levying of war for the maintenance of the laws be considered as war against the King; but it is contrary to the oath of allegiance for any one to serve the King against the country.

A few days afterwards, in the beginning of June, the Parliament laid before the King nineteen propo-

sitions, upon which it was ready to be reconciled with him. Ministers, Privy Councillors, Tutors to the Royal Princes, and all high officers of State shall be appointed with the approbation of Parliament, and all those removed of whom it does not approve. The same consent is necessary to the marriage of members of the Royal Family. The laws against the Papists, Jesuits, &c. shall not only be enforced but made more rigorous, and the children of the former be entrusted to Protestants for their education. Catholic Lords shall lose their votes in the Upper House. The King approves beforehand the reformation of all abuses in the Church. The King recalls his declaration respecting the militia, and confirms that of the Parliament. All Judges and Civil Officers hold their places only *quamdiu bene se gesserint*; Members of Parliament who have lost offices shall be restored to them, or indemnified. Every person appointed to an office takes a new oath, drawn up in conformity to the new legislation. All persons cited by either House must appear, and abide its censure. It determines what exceptions are to be made to the amnesty offered by the King. The King shall dismiss his military guard, and not appoint any commander without the approbation of Parliament. Levies of troops to be made only according to law, in case of rebellion or of hostile invasion. No Lord to be admitted into the Upper House without the consent of the Commons. The King consents that the

five Members shall be cleared by an act of Parliament, so that we may be secured in future against such proceedings.

Not to mention that the above conditions were extremely intolerant in respect to religion, and required beforehand the sanction of future resolutions which were then entirely unknown, they undoubtedly annihilated the royal authority in many essential points, destroyed the intended balance of the legislative powers, and gave a decisive preponderance to the Parliament. Yet some zealous royalists advised concession, because the King had no arms and no money, and the hope of gaining the fleet was wholly delusive on account of the sentiments of the principal officers. Notwithstanding these arguments, Charles would the less resolve to accept those oppressive terms, as he had promised the Queen not to take any final resolutions without her knowledge and consent. It was her wish that the blessings of peace might be restored through her mediation, and that the people's dislike to her might be removed. Charles too hoped to effect a change in the tempers of the people by a new and clear statement of his views and his rights. He first answered the declarations of Parliament on the 26th of May, in the following manner : " No person who reads this writing will think that we have much reason to be satisfied with it ; it is forged in a hotter oven than others. Yet we must praise the openness and sincerity of the

authors, who will no longer suffer us to be mocked by saying, "We will make you a great and glorious King," while they with the greatest dexterity plague us into distress and want; or "We will make you beloved at home and feared abroad," while every means is adopted to make us odious to our subjects, and contemptible to Foreign Princes.

On the contrary, they now say to us in plain English, We have done you no wrong, for no wrong can be done to the King. We have taken nothing from you, because you possess nothing that could be taken. Every one who is not of their opinion they class among a malignant and wicked party, and believe, placing themselves above us, that they may do everything that they may think fit. But what then is tyranny, except recognizing no law but one's own will; and in Athens that of the thirty tyrants was the most oppressive. If a party accidentally obtains the majority or the preponderance, and then outlaws its opponents and abolishes the laws themselves, is that, in form or in substance, right? The paramount right of the King does not abolish the property of individuals, and he may certainly have a right to Hull without violating private property. If an office was trusted to Hotham, a much higher one is entrusted to the King; or do they understand our office so that we shall be entitled only to destroy our own rights and our government? The Parliament then considers itself alone as infallible and unlimited, and

says, like the Irish Rebels, we do everything for the good of the King and the kingdom. If now the latter should prove victorious, look upon the Protestants and Puritans as the malignant party, and change everything for their own advantage? The King is certainly bound to remedy any existing evils; but is he then entirely to give up his own judgment, and without regard to his understanding, conviction, conscience, and responsibility to God, to say Yes to everything? And if the polite form, *le Roi s'avisera*, according to the interpretation of the Parliament, is not a negative, it is still less an affirmative. The authors of that declaration endeavour in every way to make the King odious. The people, however, will in the sequel feel the burdens and the misery which these pretended deliverers bring upon them. All evil, according to them, comes from evil counsellors, whom they do not name; from conspiracies, which nobody discovers; from suspicions, which nobody understands. But, indeed, he who thinks that Hotham's conduct to the King is a proof of affection and loyalty, might also affirm that the Papists or even the Turks drove us from London; he might in the same affectionate and loyal manner bow us entirely out of the kingdom. According to the notion of the Parliament, none of its members could be accused of theft or murder till enquiry was made at London whether it was agreeable to all the others. The principles of the innovations are—the Parlia-

ment has the unlimited and sole right of declaring the laws, and what it declares is right. No law or custom can limit its omnipotent will, and the King's assent to the laws is not necessary. He has no veto; but is subject to the commands of the Parliament. If it does the utmost that other Parliaments attempted, this is no violation of moderation and duty; that is to say, as some already openly proclaim, they may depose the King without deserving blame on that account.⁽⁴⁰⁾ After such language and with such principles, which cannot be carried to a greater height, we may justly expect the most culpable actions."

By this declaration, and various accounts which were received, the Parliament was still more embittered, accepted voluntary contributions, and ordered loans for the preservation of the Protestant religion, *of the King, as well as of his rights and dignities*, of the laws, of peace, and of the privileges of Parliament. Nine Lords and sixty-five Members of the House of Commons, who disapproved the resolutions, and most of whom had joined the King, were accused and excluded from Parliament. But Charles issued, on the 13th of June, a new declaration, to the effect that he required no obedience or assistance except according to the laws of the land; he would esteem everybody who would render him services in this sense, for the preservation of religion and the Constitution. He would not commence war, nor raise

men for that purpose, but only in case of an unjust attack to defend himself and his friends.

Two days later, the King again declared before God and the world, that he abhorred all thoughts of war, and called upon his Counsellors, and the numerous Lords assembled about him, to testify that he had the most serious wish for peace. Hereupon they declared: We are fully convinced that his Majesty has no hostile intentions, nor do we know of any councils or preparations that might excite a belief of such plans; on the contrary, the King desires to maintain religion, justice, liberty, and the laws.

Disregarding these testimonies, which the Parliament assumed to be partial, surreptitious, or false, it declared everybody guilty who should obey the King's commands respecting the militia, prohibited any payments of money being made to him, and at length, on the 12th of July, resolved that an army should be raised for the security of the King's person, for the defence of the Parliament, the preservation of religion, the laws, liberty, and peace.

In this moment of mad infatuation, when many considered a civil war, that most dreadful of all evils, as fortunate, or as a deliverance from evils, some at least shuddered at the abyss before them, and warned against the danger with all the energy of their heart and understanding. Thus Whitelocke, though otherwise a zealous adherent of the Parliament, says: Our misery is the joy of our enemies, and the

Catholics, who call us heretics, impel us towards it, by all kinds of means and arts, well knowing that nothing can extend their dominion so much as our disunion. We were blessed by a long and happy peace ; but, instead of enjoying with moderation and gratitude the many blessings given us by God, we have become proud and luxurious, so that God suffers us to punish ourselves by a civil war. It is surprising how we have gradually and imperceptibly drawn nearer to this war, and were, as if unconscious, borne along by the waves. From a paper war, we have come, through declarations, representations, remonstrances, resolutions, messages, answers, and replies, to the levy of a military force and the appointment of generals and commanders. What the consequence must be, the poet tells us,

*Jus datam sceleri canimus, populumque potentum
In sua victrici conversum viscera dextra.*

We must place our laws and liberties, our property and lives, in the hands of insolent mercenaries, whose violence and fury will then command us and all we possess ; reason, honor, and justice will abandon our country, the base will command the noble, vice prevail over virtue, and wickedness over piety. From being a powerful people we shall become weak, and be the instruments of our own destruction.

Nobody can foresee the issue, and few of us perhaps may live to see it. They say he who draws his sword against his prince must throw away the scabbard.

Differences of such a kind are scarcely ever settled ; they may be compared to deep seas, which when once roused by a storm are not easily appeased. In civil wars the conqueror weeps, and the conquered perish : what our fate may be, we know not, but we ought to avoid so bitter an alternative. Let us therefore try every means, by a judicious and equitable agreement, to establish the right and the welfare of both parties, that there may never be an open breach between us and our adversaries, for we are and always shall be brethren.

Benjamin Rudyard spoke to the same effect : That we may the better understand the situation in which we are, let us look back three years. Would any one at that time have thought it possible that the Queen, for whatever reason, would go to Holland, the King leave London and his Parliament, such a dreadful insurrection break out in Ireland, and such disputes and disorders in Church and State ?—On the other hand, if any one had said : In consequence of new laws, the Parliament will be assembled every three years ; shipmoney, monopolies, the Court of High Commission and the Star Chamber be abolished ; the Bishops removed from the Upper House, the forests limited, nay, that we should possess a Parliament which cannot be dissolved without its own consent—who would not have considered this as a dream of happiness ? But now that we possess and enjoy all this, we think only of future securities and

guarantees, as if they were not included in the possession of these things, which mutually support and maintain each other. Let us not, for the sake of a precarious future security, risk everything, or fancy that we possess nothing, because we have not everything that we wish. Let us not seek for mathematical certainty in things which humanly speaking are changeable, and by possibility subject to decay. He who always looks after the wind and rain will neither sow nor reap; if he will not set his hand to work till he can command the weather, he will have a bad harvest. Every one is bound to the utmost of his power to hinder bloodshed; for blood cries to heaven, and defiles the country. Let us therefore secure liberty and property, but in such a manner that we do not at the same time lose our own souls.

These eloquent warnings so far produced an effect that the Parliament again sent a petition to the King respecting peace. After an introduction on the dangers of the times, on the armaments made by Charles, and his erroneous ideas of deciding everything by force, it demands that he shall disband all troops, suspend all levies, and repair to Parliament, which was ready, on those terms, to desist from all preparations for war, to regulate military affairs by a new and suitable bill, and to prove that the Members valued the King's welfare, safety, honor, and greatness, much more than their own happiness and lives, which they would most heartily and willingly devote

to his support and preservation. The King replied, that it was no proof of moderation and love of peace that the preamble to their petition laid all the blame upon him, and that at the same time Essex was appointed Commander, and the Mayor of London arrested because he had obeyed the King's commands. Then follows a repeated justification of his conduct, with the remark that the Parliament had armed and caused force to be employed against him at Hull, at a time when not a single man had been raised by him ; and yet it was certainly for the King, in case of undoubted danger, to be the first to adopt defensive measures. He therefore called upon them to prevent disorders, duly to punish the authors of seditious publications, and to designate as delinquents only such as violated the laws, and not the faithful servants of the King. If Hull were delivered to him, the persons named by him placed over the fleet, the military preparations stopped, the Parliament removed to a place of safety, and if it were acknowledged that his assent was necessary to general laws, he would pardon and forget all that was past, cease armaments and levies, and give his royal word before God that he did not and would not think of any hostilities.

The Parliament answered, at the end of July, that till the causes which had led to the present state of things were all removed, their duty to the King and kingdom forbade them to accept the above proposals.

On the second of August, it detailed at length the causes for which recourse was had to arms. A wicked and impious party, they said, had attempted to overthrow the constitution in Church and State, and now required that they should give themselves up, unarmed, to their will and pleasure. But the Lords and Commons were resolved to risk their lives and fortunes for the defence and preservation of true religion, of the King's person, honor, and dignity, of the power and rights of Parliament, and the liberty of all the subjects. Every one, therefore, who had any sense of piety and honor, and was bound by his duties to God, the King, and the Country, was called upon to hasten to their defence.

At the same time, the House of Commons declared those Lords who had repaired to the King to be incapable of sitting in the Upper House, accused them as traitors, and ordered them to be imprisoned. It commanded new taxes, such as tonnage and poundage, to be levied ; levied recruits with increased activity, dismissed and arrested Gurney, the Mayor of London, who would not second these measures, and swore to live and to die with the Earl of Essex, the new General. The King had before called upon the Earls of Essex and Holland to attend him as officers of his court ; but they replied that they were more necessary in Parliament, where they could do him better service. Hereupon the King, on the 11th of August, declared the Earl of Essex and his followers

to be rebels ; and, on the other side, the Parliament gave the same name to all the adherents of the King.

After the struggle had been thus begun by both sides, in word and deed, it seems merely a symbol that the King, on the 25th of August, caused the royal standard to be raised at Nottingham. It bore a hand pointing to a crown, with the motto, "Render unto Cæsar the things that are Cæsar's." (") In the first night, a dreadful storm threw down the standard from the eminence on which it had been erected, so that it could not be replaced till two days afterwards. This accident was considered by many as a bad omen ; but in truth those persons, on both sides, had yielded to the grossest superstition who fancied that the course on which they had entered was right, and would lead to justice, liberty, and happiness.

NOTES.—CHAPTER II.

(1) Page 82. It was considered as a bad omen that Charles did not go in state to the House, and that the Parliament which in the reign of Henry VIII. led to the fall of the Monasteries, likewise opened on the 3rd of November. *Sanderson*, p. 323 ; *Neale*, Vol. II. p. 317 ; *Soame*, Vol. I. p. 494.

(2) Page 83. Thus, for instance, monopolists were expelled the House. *Parl. Hist.* Vol. II. p. 707.

(3) Page 85. The sentences upon Prynne, Bastwick, Hampden, &c., were cancelled, and large indemnities given them. *Nelson*, Vol. I. p. 798 : *State Trials*, Vol. IV. 535.

(4) Page 86. Strafford had approved the allegation of general undefined accusations against Buckingham, which was now practised against himself. *Warwick*, p. 97.

(5) Page 87. Strafford had been Governor of Ireland ever since 1632. We shall give an account of his administration below.

(6) Page 88. Windebank, who was accused among other things of favoring the Catholics, said that no more had now been done on the part of the King than the right of pardon allowed, and the danger to be apprehended from them had decreased. *Parl. Hist.* Vol. II. p. 684 ; *Nelson*, p. 693.

(7) Page 89. On the 10th of December 1640, two subsidies were granted. *Parl. Hist.* Vol. II. p. 673.

(8) Page 90. This happened chiefly between December 1640 and July 1641. *Parl. Hist.* Vol. II. pp. 651, 652.

(9) Page 92. Regi Angliæ neque auctoritas constat apud Parliamentum, neque gratia. Nam eos quorum opera consiliisque usus est, neque palam tutari audet; neque dolet eos sibi-metipsis consulere ac se servare in tempora secundiora. Vis autem istæ mediæ sæpe regibus periculum adferunt ubi populi neque metu neque amore retineantur. *Grotii Epistolæ*, 1470.

(10) Page 93. Brodie, Vol. III. p. 95; Whitlocke, p. 42. During the proceedings there was often much noise, talking, eating, drinking, &c., so that Baillie, Vol. I. p. 259, says: "After ten, much public eating, not only of confections, but of flesh and bread, bottles of beer and wine, going thick from mouth to mouth, without cups, and all this in the King's eye." The proceedings are at full length in a volume of Rushworth.

(11) Page 94. Whitlocke, p. 43. Baillie too (Vol. I. page 260) says: Strafford, in his answer, was very large, accurate, and eloquent. Many females were present in the House, and almost all of them took the part of Strafford. *Mag.* p. 92. Our space does not allow us to go into the details.

(12) Page 98. Inquisitions and inquisitors have but too often pronounced, and caused to be executed, sentences of death.

(13) Page 99. Yet, according to one report, (Whitlocke, p. 44.) Strafford said, after the sentence was confirmed: "Put not your trust in princes, nor in the son of man, in whom there is no help."

(14) Page 99. According to Burnet, the Queen got a post-script added to Charles's letter to the Parliament: "If he must die, it were charity to reprieve him till Saturday;" which must weaken the effect, if not wholly destroy it.

(15) Page 100. The statement that Hollis, Strafford's brother-in-law, proposed to him that his life should be saved, if he would use his influence with the King against Episcopacy, but received for answer he would not purchase it at so high a price, seems not to be authenticated. *Laud's Troubles*, p. 177.

(16) Page 101. Strafford's opinion was, that what was law

in England was so likewise in Scotland and Ireland, and the decision of the Judges on the right of levying taxes would make the King absolute. *Vaughan*, Vol. I. p. 459.

(17) Page 103. Strafford's correspondence proves even more than the accusation and trial his unbending spirit. *Lingard*, Vol. X. p. 47. Respecting the origin of the violent proposals printed under his name, in Ludlow's Memoirs, page 461, see Israeli, Vol. III., 24. Strafford wrote (Letters, Vol. II. p. 158) "I wish Mr. Hampden and others to his likeness were well whipped to their right senses, and if that rod be so used that it smarts not, I am the more sorry."

(18) Page 103. In a pamphlet, published at the time, we read: "There is a necessitated policy that my lord of Strafford and some others should be given up, as a just sacrifice to appease the people." *Israeli Comment*. Vol. IV., 231.

(19) Page 104. Eikon, p. 2. Charles wrote to the Queen that the unjust execution of Strafford had drawn down the anger of God upon both parties. *Works*, 321.

(20) Page 105. Clarendon, Vol. II. p. 165.; May, p. 119. Milton afterwards shewed (*Works Histor. Eikonoklastes*, Vol. I. page 423,) that according to the ancient law the King had no authority to dissolve a Parliament before the grievances had been heard and redressed.

(21) Page 106. Charles accordingly wrote to the Queen on the 26th November 1646: "I was surprised with it instantly after I made that base unworthy concession concerning Strafford." *Clarendon State Papers*, Vol. II. p. 296.

(22) Page 106. It was not till 1664 that the taxation of the Clergy by the Clergy themselves wholly ceased. *Soame*, Vol. III. p. 213.

(23) Page 107. The Convocation was not always dissolved at the same time with the Parliament. *Soame*, Vol. III. p. 211.

(24) Page 117. This objection might also have been alleged against the House of Commons.

(25) Page 118. The Bishops were now even reproached with

having voted *against* Henry VIII.'s Oath of Supremacy and Elizabeth's Act of Uniformity. *Neale*, Vol. II. p. 383.

(26) Page 119. They remained in prison till May 1642, and then gave bail. No legal proceedings ever took place. *Collier*, p. 819; *Neale*, Vol. II. p. 452. Dr. Wren, Bishop of Ely, was imprisoned in September 1641, and still remained in confinement in 1658, without any reason being alleged. *Thurloe*, Vol. VII. p. 622.

(27) Page 121. The suspicion was so strong, that orders were given to open all letters coming from or going to foreign countries.

(28) Page 122. According to Monteth, p. 69, the treaty of peace was effected in June, but the army not disbanded till August. *Neale*, Vol. II. p. 413; *Rapin*, Vol. VIII. p. 39.

(29) Page 127. See in Vol. I. Chap. III. under the year 1598, the account of the affairs of Ireland.

(30) Page 128. The Parliaments of 1613 and 1634 were of no importance; nay, by the manner in which the members were chosen, they were hostile to the Roman Catholics. Often, too, Irish titles were given to Englishmen, though they had no estates in Ireland, and they voted by proxy in the Upper House.

(31) Page 135. Carey, p.p. 155, 159, 258. Our space does not allow us to relate individual instances of Strafford's arbitrary proceedings, for instance, against Mountnorris; but Gordon, Vol. I. p. 349, is certainly in the right when he says: "Strafford's violence was not confined to the support of royal prerogative, but extended to personal offences, supposed to have arisen to himself."

(32) Page 137. *Carte, Ormonde*, Vol. I. p. 165, 177. There were not so many Protestants in the country as were said to have perished. Carey, p. 21. Some reduced the number to 2109, (Warner, p. 297) while others (Hallam, Vol. III. p. 521) estimate the number of those who perished at 8000, of the murdered, &c., at 4000. Lingard, Vol. X. p. 463, estimates the number of those who perished at from 4000 to 8000.

(33) Page 141. Brodie, Vol. III. p. 203; Laing, Vol. III. p. 218. The Irish hung persons who would not go to mass. *Sanderson*, p. 459. That the English were not more merciful we see from Carey, p. 440; Warner, p. 295; Curry, Vol. II. 347; Clanricarde, p. 95, 215, 298; Rushworth, Vol. III. p. 1, 406.

(34) Page 158. The House of Commons demanded the dismissal of the Governor of the Tower, and in the end gained their point, though the Lords at the beginning opposed this infringement of the Royal prerogative. *Parl. Hist.* Vol. II. p. 932.

(35) Page 162. According to Clarendon and Motteville, Vol. XXXVII. p. 109, the King, on his way to the House, stopped to receive petitions, &c., in order that he might not appear too hasty and ruffled. Meantime the Queen told the secret to the Countess of Carlisle, who immediately informed the persons interested. She had been the mistress first of Strafford, afterwards of Pym. She had become "very holy," attended the sermons of the party preachers, and made extracts from them. *Warwick*, p. 170; *Burton*, Vol. III. p. 93. In a letter of the 5th of May 1649, (*Carte Letters*, Vol. I. p. 287,) it is stated that it was proposed, but the reason is not assigned, to put her to the torture. She answered that she was a woman and could not bear it, but would confess what they required from her.

(36) Page 167. Clarendon says that the guilty were so numerous that it was necessary to gain them, because they could not all be punished. *Clarendon*, Vol. VI. p. 322.

(37) Page 169. The King unfortunately sometimes employed persons of bad character, whom he was obliged to dismiss in consequence of complaints made against them.

(38) Page 176. Fourteen Lords protested against this declaration. *Journal of the Lords*, Vol. VI. p. 629.

(39) Page 182. The King had sent his son James before to Hull, and thought, after he had been received, that he should meet with no difficulty; but he had, on the contrary, excited alarm. Hotham, too, is said to have been warned that the King

intended to have him arrested and brought to trial, which made him more inclined to resist.

(40) Page 192. Martin said the King's office is forfeitable, and the happiness of the kingdom does not depend on him. Ludlow said the King is not worthy to be king of England. *Sanderson*, p. 558.

(41) Page 199. Rushworth, Vol. III. p. 1, 783; Lingard, Vol. X. p. 187. The standard of the Parliament was a deep yellow; persons using other colours were called Malignants. Yet some assumed other colours, and disputes arose till the Parliament interfered. *Sanderson*, p. 567; *Whitelocke*, p. 59.

CHAPTER III.

From the breaking out of the War till the Delivery of the King
to the English Parliament
[1642—1647.]

EVERY impartial historian may venture to affirm, without difficulty or hesitation, that in the first years of his reign Charles himself, and at the end of it, the Parliament, violated the forms of law, as well as the dictates of true moderation and wisdom ; but it has been found more difficult to determine on which side the right lay at the moment at which the war began. For the contrary assertions that he who joined the King fought only for tyranny, and he who was on the side of the Parliament desired nothing but anarchy ; are not entirely true, inasmuch as we find on both sides men who believed that they defended their rights, and performed their duty without any underhand motives. But the state of public affairs must be considered as affected by the most dangerous disease, when not merely the simple-minded and the wicked enter upon false ways, but even the most worthy become so violently opposed that the difficulties are not to be removed without the dissolution of the whole system. The

genuine Royalists did not wish for absolute power, but for a reconciliation on equitable terms ; the genuine friends of the Parliament sought no revolution, but only to secure what had been gained. But this aim, apparently so simple, was mixed up in the course of events with so much error, selfishness, and exaggeration, that no good and wise man could approve of all that his party proposed as a laudable object, or recommended and employed as a suitable means of attaining it. Yet supposing that the reciprocal reproaches, taken singly, were of equal weight and equally well founded, it may be affirmed in general that, on all occasions, the party which had for the moment the greatest power likewise abused it the most. From the moment therefore when the Parliament maintained that a bill could have legal validity without the assent of the King, it proceeded from just defence to unjust attack ; for which reason even a friend of freedom says, " From the beginning of the war with the King, till its dissolution by Cromwell, the Parliament performed scarcely two or three acts of public justice, humanity, or magnanimity, and gave very few proofs of public wisdom and noble courage." They forgot that, in what had been legally granted and the general feeling of the country, they had already the greatest security for the future that, in general, people can have no better guarantee for their own rights than the recognition of those of others ; and that it equally leads to pernicious conse-

quences to oppose the necessary development of new legal and political relations, as the King at first did, and to endeavour to promote them precipitately and by violence, as the Parliament unquestionably did in the sequel.

Its conduct could not but appear very dangerous the moment that it considered revolutionary measures to be consecrated by their object, or at least allowable, such as the abuse of the freedom of speech and of the press ; seditious addresses, the removal of clergymen and civil officers from their places on account of mere opinion or bare suspicion ; extraordinary tribunals, the violation of existing forms, confiscations of property, forced loans, &c. ⁽¹⁾ The zealots said that their consciences were not bound by human laws, and that it was allowable to deceive the weak with lies, to intimidate the fearful by threats, to entice the ambitious by promises, and seduce the vain by flattery. Many who loved to call themselves impartial, in the end always joined the stronger party ; others, who pretended to be royalists, basely voted for laws which undermined the royal authority, under the pretext that Charles might refuse his sanction ; they would not foresee that this right of refusing would be contested, the moment, he attempted seriously to make use of it. Others placed their enjoyments above their duties, for which reason Lord Falkland, in the disputes about the Bishops, said they were hated by their enemies more than the devil, and loved by their

friends less than a dinner. In the same spirit Hyde, afterwards Lord Clarendon, said, Many persons beginning with just principles and laudable wishes, gradually suffered themselves to be led further, and soon afterwards advocated what they had at first disdained and abhorred. They desired to promote peace, and destroyed it by unresisting concession, or went to their homes on the pretext that they could there be of more use ; by which their adversaries obtained the undisputed preponderance. Many, he says in another place, detested all parts of this rebellion, and deplored in their hearts the misery and ruin that was approaching ; and yet these same men contributed with great zeal and rare ability to the resolutions and decisions from which the evils that filled them with horror necessarily and naturally flowed, and which, after what they had already conceded, they could not reasonably contradict or oppose.

The nobility and many inhabitants of the country were averse to innovation, from their attachment to their ancient manners and mode of thinking, or observed that the combat was directed in the end not merely against the power of the King, but against that of the Aristocracy. The inhabitants of the cities, and many of the middle class, on the contrary, felt very justly that a change in the state of public affairs to their advantage was at hand ; but they did not perceive the true limits of the movement, and feared (from their experience hitherto, and with too little regard

to the present time,) far more abuse of power from above than from below. Lastly, each party spoke only of defence, each denied the attack; but it was disputable how much should and ought to be defended, and uncertain when and where, in open combat; just and successful defence would change to attack. The moment that the two Houses and the King could or would no longer seek in concert what was just and equitable, there remained only an appeal, setting aside all the salutary forms of law, to the arbitrary opinions of individuals, which could not lead to a legal decision, but placed all in the hands of mere violence. But such a result can never be said to be wholly unavoidable; on the contrary, the leading ideas of wisdom and folly, right and wrong, virtue and vice, must absolutely be held fast, in the great movements and developments of nations, for instruction, exhortation, and improvement, and a final judgment must be founded on them. For nations consist of individuals, and like them become subject to blind necessity, or rather to sin, only when they arrogantly reject the instructions of history, and renounce God and his eternal commandments.

Though the King was convinced that he had a right to resist, and could not lose more by war than by protracted concession, yet he was in want both of men and money, and was obliged, in numberless instances, to have regard to persons and to laws; whereas in the commands of the Parliament no

regard whatever was paid to the ordinary forms, and yet, in consequence of the prevailing enthusiasm, they met with much more ready obedience. It is true that, for the reasons already mentioned, many Lords and Commoners either voluntarily, or in obedience to Charles's summons, had followed him to York, but he, and still more his court, distinguished the new comers from the earlier adherents, and manifested so little cordiality and gratitude that some angrily returned to the Parliament, and others entirely withdrew. This last way appeared the most welcome to those in particular who, amidst the directly contrary orders of the King and the Parliament, were withheld from deciding by conscientious scruples, or refrained through timidity.

In the royal council, together with a change of persons, a change of opinions had taken place : thus the overzealous and rash Lord Digby had fled to the Netherlands ; and if some worthy men, such as Hyde and Falkland, were consulted, others often contrived to defeat their counsels ; or the warm-tempered monarch pursued, without asking advice, many things which he afterwards was obliged to let drop. In reference to this, Clarendon says, what had been resolved in full council, was often changed by the influence of partial views ; many took pleasure in raising difficulties, or were naturally irresolute ; the King often paid more regard to the person who gave the advice than to the advice itself, and was more

frequently wrong when he followed others, than when he acted on his own conviction. In military affairs Prince Rupert, of the Palatinate, the King's nephew, obtained great influence. He was brave, and attached to his uncle ; but a foreigner, never affable, but austere and obstinate, unwilling to hear, often unable to judge, careless of laws, customs, civil discussions, means, and measures.

At the head of the Parliamentary army was the Earl of Essex, son of the Earl who was executed in the reign of Elizabeth. It may be doubted whether, as his accusers affirm, mere pride and vanity drove him to this course ; he is certainly one of those men who are often found at the beginning of revolutions, who would make up by good-will for the weakness of their understanding or character, and fancy they can direct everything in the council and in war, while they are overpowered by the bold and more resolute, and plunge themselves and their country into ruin. The Parliament directed the Earl to offer pardon to the King's followers, though with considerable exceptions, to combat his army, to deliver him from the hands of those who were about him, and bring him to the Parliament.

Meantime the King had made new proposals for negotiations in London, but received for answer that the declaration against Essex and his followers must first be recalled, because it directly designated all the Members of Parliament as traitors. In a second

message, which Lord Falkland presented on the 5th of September 1642, Charles affirmed that the declaration by no means included the two Houses, yet he would revoke and put an end, not only to that but to all hostile proclamations and measures, if the Parliament was ready on its part to do the same on the same day. In the convention to be then concluded he would grant everything that could contribute to the true interests of his people. This proposal was likewise rejected by the Parliament; for they said it was the greatest mockery and shame if they and the whole kingdom were hereby placed in the same rank with criminals and traitors, and treated in the same manner. The King, they said, should dismiss his army, and give up the delinquents that they might be punished, and compelled to defray the expenses, and to indemnify the good citizens; then everything would be restored to order, with honour and advantage to him and to the kingdom. In a third message, of the 13th of September, the King replied that he could not possibly suffer his faithful followers alone to be declared traitors and criminals, and deliver himself unarmed into their hands, if they would not agree to similar measures for his security. The Parliament, however, persevered in affirming (enumerating preceding reproaches) that there was but one way of coming to an agreement, viz., that he should return without an army to the great council of the nation.

Hereupon the King issued, upon the 19th of Sep-

tember, a proclamation to his army, saying that he would govern according to the laws, including those to which he had lately given his assent, would maintain the Church and religion, and if he willingly failed in these particulars he would expect no aid or relief from man or protection from Heaven. To this declaration the Parliament opposed one of a similar nature, in which they protested that nothing was aimed at but the preservation of rights, liberty, religion, and the security of his Majesty's person. To this was added, on the 15th of October, a new resolution of the Lower House, that he who in this time of danger will not act and pay for the cause of the Parliament shall be disarmed and secured. All the public revenues came into the treasury of the Parliament, all the incomes of archbishops, bishops, chapters, clergy, and delinquents who acted against the Parliament in the quarrel, were sequestrated. A lawyer named Fountagne refusing to pay because the new demands were contrary to the petition of rights, was, like others, imprisoned during pleasure.

Single arbitrary acts of this kind vanish, however, before the dreadful sacrifices which the civil war already demanded on a far different and far greater scale. In the battle of Edgehill or Kington in Warwickshire, on the 23rd of October 1642, between 5000 and 6000 men were killed without any decisive result being produced by the slaughter. (1) Many, however, who had lightly believed that all would end

without violence and bloodshed, were terrified; and on the 29th of October the Upper House made a proposal for renewing the negotiations for peace. The friends of war in the House of Commons, however, contrived to defeat it, partly by vehement petitions against peace, and partly by a dispute respecting the choice of Commissioners, and an armistice, in which each party laid the blame upon the other.

When, however, the Mayor, Aldermen, and Common Council of the city of London, in December 1642, again addressed Parliament and the King for the restoration of peace, both parties thought, that, in order to gain the people's minds, it would be proper to give friendly answers and an appearance of a great desire of peace; (³) this however was not the main point, but under what conditions each party would cease from war. In his answer to the city of London, the King complained that the many disorders that had taken place there had caused him to leave the city, and prevented his return; that able public officers had been unjustly dismissed by the Parliament; the arbitrary conduct of those newly-appointed approved, taxes imposed, and orders issued at variance with his own. Lord Manchester and Pym attempted, on the 13th of January 1643, to refute in Parliament these and similar accusations, and with so much success, that Charles's plan to change the opinion of the capital in his favour failed. Proposals to proclaim a

general oblivion of all offences relative to the war were rejected in the House of Commons by a majority of 54 to 47, and on the 1st of February the following conditions of peace were submitted to the King: The disbanding both armies, the disarming of the Papists, the abolition of the Episcopal system, the execution of the new laws, especially the bill upon the militia, the appointment or removal of high officers according to the proposals of Parliament, the payment of debts that have been contracted, a declaration of the innocence of the five members, indemnity to the injured adherents of the Parliament, closer alliances with the Netherlands and other Protestant States, a general pardon, &c.

The King, in his answer of the 6th of February, complained in the first place of the preamble to these proposals. It reproached him with having protected criminals, raised war, and arbitrarily violated the rights of others, whereas he was not able to protect his own. That on the contrary, before any recruiting and commencement of war, every salutary measure, and more than at any former time, had been conceded by him, so that peace, if seriously desired, could be attended with no difficulties. Yet he would not express himself with bitterness, or dwell on what he had suffered, that if possible the remembrance of it might be wholly lost. He would further (though many of the proposals did not appear to him to be admissible, and it was unparliamentary to insist upon them with arms in their hands) willingly enter on negotiations,

in order to put an end to the misery of the unnatural war. But whatever might happen or be decided, he would always govern according to the laws and the rights which he had granted. Some of the above points were not mentioned in the royal answer, on others he was ready to treat; but on the understanding that his legal rights should not be further abridged, that persons unjustly arrested should be released, or be tried in due form, and above all that an armistice should be concluded, pending the negotiations.

Many Members of the House of Commons said; that no negotiation ought to be commenced till the armies were disbanded, otherwise if they failed the war might recommence, and only so, the appearance would be removed, as if the King had granted something, out of constraint. The Lords, on the other hand, wished to act more decisively to obtain peace, and in accordance with their views Rudyard said, on the 17th of February, "I have long apprehended that the cup of bitterness which has gone round among all nations, would at last come to us, and that we should have to drink it to the very dregs." At length the friends of peace so far triumphed, that it was resolved to negotiate for an armistice and peace, in which, according to his adversaries, Charles displayed as much calmness and patience as penetration and judgement. Unhappily, however, they could not agree on the terms of an armistice, much less of a peace.

When the Queen who had been joined, by many discontented persons, attempted to bring aid to her

husband, she was fired upon, at her landing, so that she was obliged to hide herself, and the House of Commons went so far in its anger as to accuse her of high treason. About the same time, the 26th of June 1643, the King dissolved the Parliament, and summoned a new one to meet at Oxford. Instead of regarding this command, the House of Commons declared it to be null and void, and loudly complained that Charles acted so arbitrarily in contradiction to his own words.

Meantime the war was carried on with alternate success : Gloucester was unsuccessfully besieged by the Royalists ; Bristol, (*) the second city of the kingdom, was taken by storm, on the 23rd of July, by Prince Rupert ; and on the 20th of September, a battle was fought at Naseby, in which both parties suffered great loss, but neither had any decisive advantage. In one of the preceding battles, Hampden was killed, on the 24th of June, and Lord Falkland fell in the battle of Naseby. Clarendon considered the death of the former as very fortunate for the country ; but, though Hampden had been more violent since the King's rash accusation than he had been before, and erroneously thought that peace was to be sought through all the horrors of civil war, he was, however, more moderate and noble-minded than many others who afterwards rose to power : consequently his death was not an advantage to the King, and still less to the country. (*)

In times of great revolutions it is infinitely difficult

to remain pure from every stain, and almost impossible to be justly appreciated by all parties. Yet this good fortune was enjoyed by Lord Falkland, whose understanding, courtesy, justice, and love of peace, were recognized by the republican Whitelocke, and to whom his friend Clarendon has erected a worthy monument. He says of him, "Falkland was a man of such extraordinary knowledge, such inimitable courtesy and gracefulness of manner, such genuine humanity, such primæval simplicity and purity of life, that this war, had it caused only the death of this nobleman, would have merited the execrations of all future times. *Turpe mori post te, solo non posse dolore.* Firm in his resolutions and in his religious faith, but tolerant to those of a different opinion, exalted above all ordinary passions, and a zealous friend of true liberty, but for that very reason the strictest observer of the laws; and the moment that he perceived the designs of the popular leaders, a determined enemy of the rebellion. So far from aiming at court favour, that he repelled, even unpolitely, the King's advances, that no doubt might be entertained of his independent virtue, and yet, his most faithful servant, from the hour when longer keeping back appeared to imply a denial of the truth, or approbation of wrong, or fear of wrong-doers. He always lived blameless and pure, as if he were in the republic of Plato, not among the populace of Romulus. Two things he decidedly disdained, though the cor-

ruption of the times seemed to require them, namely, the employment of artful spies and deceivers, and the opening of letters. When the evil spread he saw further and deeper into futurity than many others, and felt that the complete triumph of either party would necessarily lead to ruin. His otherwise unalterable cheerfulness vanished, and often, after long sitting lost in melancholy musing, he exclaimed with a sigh 'peace, peace.' Such noble sorrow broke his heroic heart, he wished for death, and found it in the 34th year of his age."

Ten weeks after Falkland, on the 8th of December, 1743, Pym died, at the age of 60, and as a hero of liberty was interred with great magnificence in Westminster Abbey, near the Kings of England. (*) A monument was erected to him, and £10,000 granted by Parliament to pay his debts. He had at the commencement pointed out with eloquence and penetration the faults of the government, had ably proved its injustice, and assisted in bringing on a revolution. But he was destitute of judgment and energy to check it at the right moment, and was, on the contrary, so carried away himself by the general torrent that the King was able to reply to extravagant proposals for innovations by passages out of Pym's former speeches. Yet he appears to have been as little aware as Vane, Martin, and others, that their opposition to peace was an effect of error and passion. Pym at least, a short time before his death,

printed a defence against the accusation of having promoted divisions in the English Church and acted in a condemnable manner towards the King : "I consider him," says he, in the defence, "as my lawful King and Master, and am ready to sacrifice my life for him ; never had any treasonable intentions towards him, and endeavoured to promote only the real good of the country."

While it is difficult to decide how far noble sentiments, truth, error, passion, and hypocrisy, were blended in the leaders of the parties, and alternately or successively preponderated, the motives and consequences appear more clear in the masses and lower circles. Thus the sufferings of the war gradually extended to almost all parts of the kingdom ; for though it was not carried on with the same savage all-destroying cruelty, as many other civil wars, yet no neutrals were tolerated, and it was often thought necessary not only to break the power of the enemy but to punish his wrong conduct ; nay, in this respect, the royal party often deserved more blame than their adversaries ; at least Clarendon, after he has spoken in praise of Falkland, says, "such was he, but not the others." Mistrust, discord, and jealousy among his adherents, vexed the King. Nobody would do anything without a reward, and every reward, under the pretext that it was an affair of honor, called forth the pretensions of many others, whereas the unassuming were accused of incapacity and stupidity. In this

manner fatal disorder and arbitrary conduct increased in the army of the King; while more order, discipline, and moderation were gradually introduced among his adversaries; so that the former appeared to combat for justice and regularity with the arms of anarchy, and the latter with discipline and order for injustice and the destruction of every thing good. There are examples of the Royalists illegally hanging individual adherents of the Parliament; and, on the other side, of clergymen who absolved prisoners, that had been released, from their oath not to serve any more against the King. Nay, from the passage in Jeremiah, Chap. xlviii. v. 10, "Cursed be he that keepeth back his sword from blood," Puritan zealots proved that every adherent of the King ought to be killed. Thus threatened on both sides, some sent their sons and relations to both armies, and sacrificed their principles and conviction to the often deceitful hope that they should thereby secure themselves at all events. There was nothing in which the sufferings caused by a state of revolution were more evident than in the finances, and the Parliament went, in this respect, far beyond everything that the King had formerly ventured. Clarendon therefore exclaims, "Before the war, two subsidies, £150,000, were said to be an enormous sum; now £1,742,936 have been imposed." So early as November 1642, the Parliament demanded a payment of the twentieth part of the value of estates. The persons appointed to levy

this tax were authorized by the law to value, to break open chests and trunks, to take away and sell, to imprison those who refused payment so long as they thought proper, and remove their families from London and the vicinity. However, as notwithstanding such rigorous measures, this mode of direct taxation did not produce enough, heavy taxes on consumption were imposed in May 1643, and gradually extended and augmented on beer, wine, brandy, cider, tobacco, sugar, meat, salt, saffron, starch, alum, hops, drugs, paper, leather, glass, silks, &c. (?) At the same time interest at eight per cent was given upon loans, the estates of many Catholics and Bishops were sold, and the property of all clergymen who opposed the new laws of the Church was sequestered. Lastly, every one who had directly or indirectly assisted the Royalists, carried on their business for them, received them into their houses, or gone to theirs, was branded with the name of delinquent, and by way of punishment compelled to pay the value of two years of his income. (8)

In a declaration which the King published with especial reference to this property-tax, he says, "The House of Commons arrogates to itself all rights, abolishes all laws, and arbitrarily disposes of persons and property; we cannot, therefore, often enough call to mind the excellent speech of Pym, in which he said, "The law fixes the difference between good and evil, between just and unjust. If you take

away the law, everything falls into confusion, and every man will be his own lawgiver, which, in the corrupt state of human nature, must necessarily lead to the greatest disorders, envy, avarice, ambition, then become and give laws, of what kind may be easily imagined." That this is now the case is manifested by melancholy examples in the whole kingdom, and posterity will scarcely believe that the same Parliament which received those sentiments with such great applause now acts in the same bad spirit. It once demanded that nobody should be arrested without the statement of a reason, and should in all possible cases be admitted to bail ; now it allows unauthorized persons to imprison whom they please, for whatever reason, and for as long a time as they think fit. It called our declaration respecting Hotham a breach of Parliamentary privileges, whereas it now arbitrarily treats, accuses, and expels Members of both Houses. Treason, a word the meaning of which is defined by law was in its eyes no crime ; whereas it is now sufficient to call anybody a malignant, a word the meaning of which none knows, to throw him into prison. To levy tonnage and ship-money, according to the old manner, but without permission of Parliament, was called a unpardonable injustice but to take from all the inhabitants of the kingdom the twentieth part of their property without the royal assent, is, according to the new doctrines, lawful and commendable."

Declarations of this kind, and several pamphlets in favor of the King, did not fail to produce an effect, so that the Parliament, finding that the liberty of the press was disadvantageous to it, passed laws instituting a rigid censorship, caused warehouses to be searched, presses to be broken to pieces, printers, sellers, and bookbinders to be imprisoned. In a similar manner, a Mr. Montague was expelled from the House of Commons, and imprisoned, because he would not take an oath to live and die with the Earl of Essex; for it appeared to the House, (according to the Journals,) to be a great crime that a Member would not be guided by the declarations of others, but by his own judgment, whereby it was assumed that the conviction of every body must agree with that of the Parliament. This, however, was so far from being the case, that many secret associations against it, for instance, that of Waller, were discovered, which led to punishments and new oaths. Nay, the two Hothams, father and son, who had before so greatly insulted the King, were now induced, by repentance or ambition, to enter into negotiations with him, for which they were arrested, and, in the sequel, executed. (°)

Encouraged by these circumstances, and by the conquest of Bristol, Charles again promised to govern according to the laws; but, at the same time, designated his opponents as people who neither respected God nor loved mankind: he spoke of pardon for the

past, but by no means in a clear and positive manner. This induced the Lords, on the 5th of August, 1643, again to make proposals for peace, because the country was going to ruin through the civil war; on which, as many Members of the Lower House dreaded the vengeance of Charles and heavy punishment, violent debates arose, and it was affirmed that the moment was the more unfavorable, as they might depend on the assistance of the Scotch. It was, however, determined, by a majority of 94 to 65, to listen to the King. The moderate party considered the assistance of the Scotch to be precarious, and if the moment was unfavorable, they said, peace appeared doubly necessary; besides the principal and richest inhabitants of London and of the country, they said, were tired of the war; and either a reconciliation on equitable terms would be effected, or new and preponderating reasons would appear for continuing the war. But the friends of war made good use of the two following days, collecting petitions against peace, issuing lampoons on those who promoted it, and calling on the people to assemble in an illegal manner at Westminster. In consequence, there was such a dreadful tumult, that the Lords, who were the special objects of attack, were obliged to adjourn, and to invite the Commons to unite with them in suppressing such excesses. On this occasion, 81 voted for, and only 79 against, peace, the first time; but on a second vote being taken, in consequence of violent

disputes, there appeared 88 against, and only 81 for, peace. The causes of this difference are doubtful, and are ascribed, with the greatest probability, to fear for the threats of the mob. But, at all events, it was a melancholy state of things when the almost accidental majority of a few votes decided the fate of the whole kingdom. ⁽¹⁰⁾ Two days later, that is, on the 9th of August, a petition for peace was indeed presented by some thousand women and men in disguise, who with loud exclamations, demanded peace, saying "Give us the traitors who oppose peace, and the dog Pym;" and, as words would not appease them, they were fired upon, and wherever there was any resistance or attachment to the King shewn, martial law was put in force, and a man, for instance, who was bringing some of the King's proclamations to London was hanged. ⁽¹¹⁾

The King, as well as the Parliament, had long been extremely desirous of gaining the Scotch. They however demanded of the King the introduction of the Scotch constitution of the Church into England, the persecution of the Catholics, their exclusion from the royal army, the conversion of the Queen, and the right of mediating between the King and the English Parliament. Now as Charles could not possibly comply with many of these demands, and had no mind to agree to others, the Scotch and the English Parliaments the more readily came to an understanding, as the good fortune of the

King in the field, and his increasing military force, equally threatened both. The English Parliament, therefore, resolved on the 5th of July, 1643, to apply to the Scotch for assistance. Lord Grey having refused the commission to negotiate, he was imprisoned, and the younger Vane, a very able man, was placed at the head of the deputies. The objects of the parties were at the beginning, however, very different. Many Englishmen wished for an alliance, only to effect political purposes. The zealous Presbyterians, on the other hand, desired the absolute introduction of their constitution of the Church and the adoption of the Covenant. Some Scotchmen of the King's party, such as Hamilton and others, joined in the latter opinion, in the hope of defeating the whole plan. But necessity and fear urged haste, and Vane drew up an agreement, in such a form that everybody interpreted it according to his own idea, and by which, in the end, all were deceived. The convention drawn up in August, 1643, and confirmed in September, for the preservation of all rights and liberties, as well as of peace and religion, says in respect to the latter, "It shall be established according to the holy Scriptures and the examples of the best reformed churches; and, if possible, conformity in the constitution of the Church be introduced in England and Scotland." It was likewise declared that the King's person and authority should be defended and preserved, that the world, as well as

their consciences, might bear testimony to their loyal sentiments, and see that nobody thought of lessening the King's just power and greatness. All malignants, disturbers of the peace, and those who endeavoured to separate the King from his people, must be called to account and punished.

While puritanical zealots rejected all toleration, and considered the impending war as a crusade, pleasing to God, in favor of the only true religion, monarchical zealots, on the other hand, proposed to set a price on the heads of their adversaries, or, as was otherwise usual in Scotland, to put them to death at once. ⁽¹³⁾ Hamilton, however, refused to have any share in such barbarous measures, which would provoke similar ones, and would most certainly be disapproved by the King. The Presbyterians, who were the more powerful, gave orders, notwithstanding his objections, on the 17th of September, 1643, to the following effect:—He who does not sign the Covenant is an enemy to God, the King, and the country; he loses his estates, is imprisoned, and if he resists, killed.

Notwithstanding this tyrannical resolution, Hamilton among the Royalists, persisted in his resolution that civil war must be avoided at any rate, since in victory there was no gain, and in defeat the greatest disaster; that mildness alone could allay the fermentation of the over-heated minds of the parties. Montrose, on the contrary, affirmed that all conces-

sion and loss of time strengthened the rebels, made them more arrogant, and doubled and protracted the miseries of the people; that in war alone, the just could be duly separated from the unjust, and it was not till after the unconditional submission of the rebels that something better might be established and maintained. Thus this war began in Scotland, and (without bearing the expected fruits,) was carried on with such cruelty that towns were plundered and burnt, and prisoners, without distinction of age or sex, ill-treated, drowned, and hanged.

On this occasion, as usually happens when party spirit runs high, the most conflicting opinions were given of Montrose, and he himself afforded ground for both. At the beginning he was such an admirer and promoter of the Covenant, that Hamilton wrote to the King that there was none more vainly foolish than he in this respect; and, in the sequel, all the endeavours of his old friends to divert him from this new course were fruitless. To this defection, say one party, he was seduced by vanity and self-interest: without judgment and elevated principles, he attempted what was impossible, and desired to plunge his country into slavery, merely to acquire reputation. To this his friends answered, that he did not leave the Covenanters till real liberty could no longer be established by them, but only by the King; that he had opposed the latter so long as he had acted according to his own arbitrary will, but sacri-

ficed himself to him and his cause the moment that misfortune overtook him, but justice was on his side.

Montrose was certainly a man of invincible courage, indefatigable perseverance, bold imagination, enthusiastic, and able to communicate his enthusiasm to others. These qualities, however, often led him to an irregular, extravagant heroism, did not allow him calmly to appreciate means and objects, and shewed him in the light not of a distinguished general but of an able partisan, who did not so highly value the attitude of calm virtue, as the dazzling splendour of passion. Thus we find him open and dissembling, generous and inhuman, conscientious and indifferent in the choice of means, condescending to inferiors, and impatient towards his equals. ⁽¹³⁾ He was also, as the times seemed to require, an ultra, who was as ready to establish the royal authority by violent means, even by fire and sword, as his adversaries were to destroy it. Only in him we find more enthusiasm in favor of individual persons, and in the latter in favor of general ideas.

On the 15th of January, 1644, the Scotch auxiliary army, under the command of Leslie, entered England, and the two kingdoms endeavoured to justify, by circumstantial statements, their past and present proceedings.⁽¹⁴⁾ The King did the same, partly in printed addresses, and partly, on the 22nd of January, at the opening of his Parliament at Oxford, ⁽¹⁵⁾ where two hundred Members of the House of Com-

mons and most of the Lords assembled. For though it was affirmed that 280 Members of the Commons were still in London, at that time 50 Members had already been expelled there, and in the votes at this time and in the sequel there were only once 193 Members present, but in general not more than from 120 to 150; nay, these numbers were often so diminished that 30 votes decided against 24; or 26 against 18. On the 22nd of January, 1644, there were in the House of Lords, at London, 74 absent, and only 15 present, which latter number now and then increased to 22, but at other times, was reduced to 10, nay to 5.

As far as numbers were concerned, the Parliament at Oxford might certainly have balanced that in London; but the latter had more confidence and enthusiasm. Besides, after expelling those who disapproved its proceedings, it was more energetic and united within itself than the other, where the parties of the Royalists, Constitutionalists, and Roman Catholics could never agree on their objects and the means of attaining them. The King declared that he had been compelled to take up arms, and hoped that success on his side, and repentance on the part of his adversaries, would restore peace. At the same time the Parliament at Oxford wrote to the Earl of Essex to propose a peace, and certify the good intentions of the King; the Earl, however, contented himself with sending this letter to the Parliament in London.

Lastly, the Oxford House of Lords called upon the Scotch to join it, but received for answer that everything had been already duly considered; their object was to save the King, his posterity, and the kingdom from ruin, and they had resolved on their undertaking from attachment to Christianity, as well as from loyalty and tender regard for his Majesty's honour and safety. While the Covenanters endeavoured to justify this assertion by ingenious subtleties, the Royalists answered that to perjury and violence they added bitter irony and wretched hypocrisy, and that Essex acted in a similar manner, who, when the Queen desired to go to Bath on account of her health, refused her a safe conduct, and said he would give her one to London, where she would find the best remedies and physicians.

At all events, the King was entirely disappointed in his hopes, that by means of a second Parliament he should either draw the first to his side or overcome it. So long as he did not recognize the Parliament in London as such, it would not enter upon any negotiation; and when he at length consented to do so, this concession produced no further result. Nay, his own Parliament at Oxford became gradually troublesome to him, for which reason he prorogued it on the 16th of April.

Thus, then, it was necessary to have recourse to war. In the north, the Royalists were defeated on the 3rd July 1644, at Marston Moor, by the skill of

Cromwell and the precipitation of Prince Rupert, and were obliged to evacuate York on the 16th July ; in Scotland, on the other hand, Montrose was more fortunate, and the King himself in the south of England, so that the gain or loss was nearly equal on both sides. On this account, after a long altercation, terms of peace were drawn up by both Houses on the 8th of November, and on the 30th of November were laid before the King by deputies, who, however, were not authorised to enter into a negotiation. So that Charles, who was much vexed, said they might as well have given the papers to a postillion. With respect to the matter itself, he answered, on the 13th of December, that the contents of the message were so important and various that he could not decide at once ; but that they must first arrange what was necessary respecting the time, place, and manner of treating.

If the King was this time less eager, and appeared to shew less desire of peace, this did not arise so much from his hopes of the further conduct of the war, as from the circumstance that parties were gradually forming among his opponents, who had very different views and intentions with regard to the State and the Church, from which Charles expected to derive the greatest advantages. Thus, with respect to the Church, in addition to the Catholics, Episcopalians, and Presbyterians, the Independents came forward as a fourth powerful party ; and with

respect to the State, the Republicans separated themselves more and more decidedly from the Constitutional Royalists. We shall speak of this remarkable development of parties as soon as we have given some account of several important resolutions of Parliament.

The Earl of Essex, who was at first so highly extolled for his readiness to command the army, was now suspected and calumniated by the Republican party. But for his negligence and irresolution, they said, the war would have been long since happily terminated ; but he feared a decisive victory, because he wished to maintain, if not the King, yet the nobility in all their rights and dignities, and disliked and misinterpreted every advance in the salutary road of revolution. The Scotch and the Presbyterians felt with great reason that the Earl's accusers were adverse not only to their political but also to their theological views ; they therefore resolved to maintain him in his office, notwithstanding the faults he had committed ; nay, even to attack Cromwell. As there were, however, no proofs sufficient to institute an enquiry into his conduct and punish him, nothing was resolved upon, and the parties threatened contrived, by an able manœuvre, to transfer the contest to another field far more advantageous to them.

On the 9th of December the Parliament deliberated upon the situation of the country. After long silence, Cromwell rose and said, that without more energetic

and speedy measures, it was impossible to foresee an end to the misery of the nation. The people, he said, were really tired of the war, and believed that the Members of Parliament who held high posts prolonged the present state of things for their own interest. ⁽¹⁶⁾ Unless another method were adopted, they would be compelled to a dishonourable peace. This speech led Mr. Zouch Tate, probably in consequence of a previous understanding, to move that all Members of Parliament should be excluded from commands and offices. In order to proceed to the discussion of so important a question, in a proper frame of mind, a general fast was ordered, and very long sermons were delivered before the Parliament, in which the Clergy vehemently reproached all parties without exception ; on which account Sir Henry Vane afterwards said that they were inspired by the Holy Ghost. Cromwell, speaking more plainly, now declared that the whole army must be new modelled ; that there was no want of able officers to supply the places of those who were to be dismissed. In favor of these proposals, it was alleged, that they did away with all suspicion of interested views, that they manifested a generous disinterestedness, and put an end to the injurious union of military and civil dignities ; that serviceable and able men would be found out of Parliament, who would be the more obliged to obey because they were not connected with any party in Parliament, and could not derive advantage from being

themselves Members. To this it was replied, that it was unexampled and injudicious suddenly to remove from all public offices the ablest and most worthy men, on the ground of empty pretexts or unjust suspicion ; that the Members of Parliament were, on the contrary, the most ready to obey it, and were the most readily obeyed ; but that, if it was thought unadvisable for them to be long absent from London, they should at most fill up their places by new elections, but not pronounce a kind of degrading sentence upon them all.

Notwithstanding these objections, the self-denying ordinance, as it was called, passed the Lower House : to the effect that all Members of both Houses who have obtained civil or military offices since the 20th of November 1640, shall lay them down within forty days. The first plan, which forbad the acceptance or transfer of such offices for the future, was more consistent ; but it was laid aside, because it was contrary to the secret plans of the leading persons : for they cared little or nothing for all the reasons that had been alleged ; their object was at this moment only to get all the power into their own hands, and ruin the Earl of Essex and his Presbyterian party. His friends perceiving this, raised a violent debate in the House of Commons in order to obtain an exception from the rule in his favour, but were defeated by a majority of 100 to 93. This, however, did not decide the contest, which was renewed with greater vehemence in

the Upper House. The Lords declared, on the 7th of January 1645, that this law would cause the greatest confusion in these troublesome dangerous times, especially in the army, and therefore it would be advisable only to remove some individuals, and such as were incapable, but not to declare all incapable. The resolution, besides, was contrary to the treaty with Scotland, and its consequences were by no means the same for the Members of both Houses : for innumerable Commoners would remain in offices, and be able to obtain them in future ; all Lords, however, would be wholly excluded from office, and their active influence entirely destroyed.

The House of Commons was the more displeased at this resistance in the Upper House, as it had accustomed itself gradually to pay less and less regard to it. It did not indeed revert to a former unconstitutional proposal of Pym, to the effect that the majority of the House of Commons and the minority of the House of Lords could take a resolution, valid for both Houses ; but it declared, on the 9th of January, that the manner in which the House of Lords had discussed the bill, and returned it without amendments, was a breach of its privileges. The Upper House justly disregarded so unfounded a reproach, and answered, it did not intend to make any amendments, but to reject the whole law, which it was fully competent to do. It had, however, assigned reasons for this proceeding, because the Commons had blamed

the rejection of former bills without its having done so; that the expression of the Commons respecting a breach of their privilege was the more unreasonable, as the Lords had always respected their rights, even at the expense of their own. After receiving this answer, the whole House of Commons went up to the Peers to persuade them speedily to pass the bill; but this very unusual course of proceeding did not succeed, and only served to shew more clearly the difference of views and objects in the two Houses. Under these circumstances, some over-zealous persons desired an immediate and entire breach; but the more prudent and penetrating, who had seen in the discussions relative to the Earl of Essex how precarious matters were even in the House of Commons and still more in the country, were of opinion, that the object might be more easily obtained by fair words and promises. Partly from conviction, and partly as a stratagem, the House of Commons declared, on the 25th of March, "We reject and detest the thought of destroying the Upper House, for such a plan is contrary to the laws of nature, to the ancient and laudable customs of all nations, to reason and to religion. We hope that no other proof is necessary to satisfy your Lordships, than to tell you that the Members of the House of Commons are Gentlemen. They consider themselves as bound by the laws of the kingdom, by their own repeated declarations, and by the Cove-

nant, to preserve and defend the Peerage, and all the rights of the Upper House as much as their own."

Tranquillized by such solemn promises, or persuaded of the inutility of further resistance, the Upper House at length unanimously passed the Bill, on the 3rd of April, 1645. ⁽¹⁷⁾ Three days before, Essex had resigned the chief command, either for similar reasons, or because he did not approve the further course of the revolution and of the war. However, to appease him and his party, an annual income of £10,000 from the confiscated estates, was granted to him, as a reward for his great services. ⁽¹⁸⁾ Sir Thomas Fairfax, who had hitherto been at the head of the second Parliamentary army, and who was not affected by the self-denying ordinance, succeeded the Earl of Essex; but Cromwell being a Member of Parliament, ought wholly to have resigned his post. Some persons considered him as indispensable, and still more had promoted the whole plan only with the view of immediately making a decided important exception in his case. On the 27th of February, before that ordinance was agreed to by the House of Lords, the Commons prolonged his post in the army for some months. St. John, it is true, declared on this occasion, that if, after the expiration of that time, no other person insisted on the strict observance of the law, he would. Yet neither he nor any other mentioned the subject; on the contrary, new prolon-

gations of his command succeeded, till at length no further notice was taken.

While one party extolled this law as highly necessary and wise, as a most noble action, nay, as an unexampled and wonderful event, a second party declared that it was the most rash, dangerous, and unjust resolution that any Parliament had ever passed. As by Charles's giving up the right to dissolve it, all the power must fall into its hands, the Parliament by the self-denying ordinance in truth sacrificed itself, and created in the army a power which would be the greater and more independent, because Fairfax and Cromwell obtained the right of directing the levies of recruits, and of appointing all the officers, even the colonels. ⁽¹⁹⁾ For the confirmation of everything done by them, which the Parliament had reserved to itself, soon became a mere formality.

This remarkable turn and change, with respect to the temporal power and predominance, cannot be fully comprehended till we examine the course of ecclesiastical and religious affairs. The English revolution differs from most others, and is doubly interesting and instructive, from the circumstance that it is by no means external force which excites, impels, and decides; but that thoughts everywhere manifest themselves, and all has a reference to ideas, and this not merely in the temporal matters of state and policy, but also in spiritual affairs of doctrine and church discipline. Thus, we find almost all

possible gradations, from ultra Royalists and ultra Catholics, to unbridled Anarchists and believers in the millennium; and each of these gradations (so blind are vanity and arrogance) was considered by its advocates as absolutely true, of eternal duration, while they rejected and condemned whatever differed from it in however trifling a degree. They did not see, they did not even presage, that as the rapid revolution of things drove them from the lowest depression to the greatest elevation, from oppression to power, they must incessantly culminate and sink again.

The struggle between the Catholics and Protestants in general appeared to both parties to be long since ended in theory, and the use of violence towards those who persevered in wilful blindness was not only permitted, but justified. Nay, setting aside all other reasons, toleration was impossible, because the party which granted it, while the other refused, would always have the disadvantage. The contest against the Catholics was followed by that against the Episcopal constitution. Without regard to the above mentioned equivocal expression in the treaty with the Scotch, it was rejected in October, 1643, and everything determined according to the opinions of the Puritanical majority of the House of Commons. Accordingly, a law was passed that all paintings, statues, stone altars, lattice work, chandeliers, fonts, crosses, chalices, organs, ornamental floors and windows, should be removed from the churches. Naturally enough,

the populace went beyond the directions of the violent legislators, and an indiscriminate destruction of images succeeded, in which, especially the tombs of Bishops and Kings, nay, all historical monuments placed in the sanctuaries of religion, were treated as worthy of destruction. The beards, noses, fingers, and arms of the statues were broken off, crowns torn away, organs demolished and the pipes melted into bullets, windows broken, inscriptions effaced, and ornamented pavements pulled up. The Parliament, though informed of these proceedings, confirmed, on the 9th of May, 1644, the former law, and merely added that no monument of a King, Prince, or Nobleman should be destroyed, unless he had passed for a Saint. In order to root out every particle of foreign superstition, the pretended purifiers of religion ran into a Mahometan hatred of art, and an ignorant incredible abhorrence of what was holy and consecrated. Besides this, all the theatres were closed, the book treating of amusements permitted on Sunday was burnt by the hangman, all travelling on that day declared to be impious, and the figure of the cross no longer tolerated, even in the signs of public houses. The sermons often lasted from nine o'clock in the morning till four in the afternoon, or far longer than the human mind is capable of forming an uninterrupted series of thought, or of receiving it, so that we need not doubt the correctness of the observation that these discourses were often absurd and always tiresome; and,

as every extreme generally produces its contrary, we find, with this intolerant austerity, the most scandalous excesses committed by the image-breakers in consecrated places.

Meantime the Parliament had solemnly sworn to the Covenant, at Westminster, on the 25th of September, 1643, and required the same oath from every person in office, and every clergyman in the kingdom. Sixteen hundred, or, as others affirm, five thousand clergymen, were deprived for refusing; and, though the last statement is certainly exaggerated, and there were probably some unworthy individuals among them, yet Collier is perhaps right when he affirms that the Presbyterians expelled far more at this time than the Papists had done under Mary, and the Bishops under Elizabeth. All this was, of course, recommended and approved from the pulpit. Thus, Stephen Marshall said in a sermon, "What soldier's heart is not appalled at the thought of piercing little children in a conquered city, or of holding them up by the legs and dashing their heads against the wall? But if this work is done to avenge God's church (the Presbyterians) upon Babylon (the church of England), happy is he that taketh the little ones and dasheth them against the stones."

This increased intolerance was manifested towards no individual with more violence than Archbishop Laud, who had been imprisoned for three years, and was almost forgotten. "Poor Canterbury," so Baillie,

the Scotch clergyman, writes, "is so contemptible that nobody thinks of him ; he was only a ring in Strafford's ear." Yet, chiefly to please the Scotch, the proceedings against the old Bishop were now resumed by the Parliament, and very unjustly placed under the direction of his old adversary Prynne. His enemies now possessed the power (as he formerly had), and took care to exercise it. The main accusation, that he had attempted to overthrow the laws, religion, and the rights of Parliament, was divided into numerous branches, which we have not space to detail. Laud defended himself with boldness, acuteness, and wit ; nay, he spoke rather as an accuser, than submissively and asking favor. "To err," said he, "is human : even Parliaments have erred, and still do err. A definite answer cannot be given to indefinite accusations ; and, besides, trifles are enumerated which I have long since forgotten. In the council and the convocation, I only joined the majority ; and in the question on the right of taxation, yielded to the decision of the judges. The laws relative to the press did not originate with me ; nor did I ever favor the introduction of popish books. I by no means desired to increase beyond proper bounds the power of the clergy, but only to protect them from being arbitrarily treated by the laity. Certain ecclesiastical usages, such as images, crosses, bowing at the name of Jesus, &c., I do not consider to be absolutely condemnable. Of my design to re-intro-

duce Popery, there are indeed many proofs ! Thus, for instance, I have converted Romanists to the Protestant religion, have written a book against Popery, introduced the oath of abjuration, twice refused a Cardinal's hat, &c. To the reproach that I consider the Romish church as a church, I answer; Yes ; because it adopts all the essential principles of Christianity I consider it as such, though not as a perfectly orthodox church. Salvation and redemption are possible in both churches ; and I have wished that the differences in Christendom might be reconciled, so that truth and piety should not suffer."

Though this truly Christian declaration at that time gave the greatest offence, and everything was represented in the most unfavorable light, the judges declared, on the 17th December, 1644, that they could not find the Archbishop guilty of treason, and left the decision to the House of Lords. The latter communicated the difficulty that had arisen to the Lower House, which answered, That there was in the first place, treason against the King, on which the inferior tribunals decide according to the law ; secondly, treason against the kingdom, on which the Parliament decided. However, as in the case of Strafford's trial, the form of the proceeding was changed into a bill of attainder, which was passed on the 4th January, 1645, by the House of Lords ; and with much difficulty his petition was acceded to that he might not be hanged and quartered, but only

beheaded. A pardon granted to the Archbishop by the King, dated the 12th of April, 1643, was overruled and rejected. On the 10th January, Laud ascended the scaffold, and acknowledged that he was a great sinner, but that he had never endeavoured to subvert the laws of the realm, or change the Protestant religion into Popish superstition, and that he had not done anything deserving death, according to the laws of the kingdom. He thanked God for suffering him to die for his honor; prayed for the happiness of the King, the restoration of the Church to truth, peace, and prosperity; for the Parliament according to its ancient and just power; and that the unhappy and distracted nation might penitently cease from war and bloodshed, and enjoy its hereditary rights and lawful liberties. Now, said he, the blind lead the blind, and all will fall into the ditch. As others would not honor the images which the King set up, I will not worship the vain phantoms which the people invent, nor will I abandon the temple and the truth of God to follow the bleating of Jeroboam's calves in Dan and Bethel. I am no enemy to Parliaments, and acknowledge their utility; but *corruptio optimi est pessima*. For my part, I freely forgive everybody." Laud submitted to the fatal stroke with courage and composure. Immediately before him, Hotham was executed, who first accused Laud in Parliament.

The trial and the condemnation of Laud is much

less to be excused than that of the dangerous and powerful Lord Strafford ; for the single points laid to his charge appear to be mere trifles, and the vague reproach of overthrowing the constitution, in church and state, he might have flung back with double force upon his accusers. They, besides, never attended the proceedings and examination of the witnesses, but decided in the Lower House entirely after the representations of their counsel ; and of the Lords, there were never more than fourteen present at the trial ; and at the passing of the sentence only twelve, or, as others say, only seven. ⁽²⁰⁾

Except the Speaker, not a single member had attended the trial from the beginning to the end. That an old man, seventy-two years of age, who was wholly powerless, was brought to the scaffold, after the overthrow of the Episcopal system, and four years' imprisonment, with the violation of so many legal forms, and without any motives of political necessity, was a proof of the blind passion of the pretended defenders of liberty, justice, and law. They could not, or would not see, what disgrace they prepared for their own reputation, and what honor for the archbishop, by thus raising him to the dignity of a martyr.

Loud complaints of this and other despotic acts being made, the Parliament, following the course which it had blamed in its opponents, again made the censorship of the press more severe ; but was not able

thereby to restrain its excesses, much less to repress arbitrary proceedings of another kind. After such bitter censures, nay condemnations, of the late order and discipline of the church, the people thought themselves entitled to interfere, and to act in their manner. Hence the above mentioned image-breaking, interruptions of divine worship, the formation of small assemblies, and the preaching of ignorant and unauthorised persons. If the Bishops, said they, have so long troubled themselves about leather, salt, and soap, artisans may surely apply mind and heart to the church and divine worship, and order these matters according to their own conviction.

The persons in power felt that they had hitherto pulled down more than they had built up; and that, after the destruction of all the ancient ecclesiastical institutions, new laws were absolutely necessary. For this purpose the Parliament summoned an assembly to Westminster, so early as the 1st of July, 1643, and appointed to form it, ten Lords, twenty Commoners, and one hundred and twenty clergymen from the several counties. The King at that time opposed the measure, because such a convocation ought to proceed from him only. Others had blamed the unusual mixture of clergy and laity. Others, that no free choice was permitted, and that the formal overthrow of the church was intended. Though, for these and similar reasons, many of the persons summoned kept away, (¹) the majority who-

ever appeared, and submitted to an extremely important decision, viz.: that the assembly of the clergy was only deliberative, and that the temporal Parliament was the superior authority, which had, in all cases, the right to confirm and decide. This principle was indeed contrary to the doctrines of the Puritans; but as they were now by far more numerous than their adversaries, both in Parliament and in the assembly, they raised no dispute upon this point, which would have been only to the advantage of their opponents, or they explained the meaning to be that the Parliament was to interfere only in case of complaints of illegal proceedings. (2) Some of the Episcopal party, whom the Parliament had out of compliment nominated members of the assembly, either declined the summons at the very first, or finding they could effect nothing, were soon tired and staid away. But when the Presbyterians affirmed that their system alone was true, and alone founded on divine right, and wished to enforce it with the utmost rigour, and to its full extent, a very violent opposition arose. In the end, however, the majority of which we have spoken carried their point, and Baillie, in a fit of strange enthusiasm, exclaimed, "That must surely be a divine cause, which men of such different opinions so vehemently opposed;" though, in another place, he confessed that the long debates often ended with loud and indecent cries.

At length, on the 4th of January, 1645, a few days before the execution of Laud, it was resolved that the book of common prayer should be laid aside ; the form of divine worship hitherto observed should be abolished ; and a new directory, which had been framed by the assembly of divines, a creed, a catechism, and a scheme of a Presbyterian constitution of the church, were drawn up. In the creed all was on strict Calvinistic principles, and peculiar stress was laid on the doctrine of predestination. The introduction to the directory complained that the old liturgy tended to popery, that too many prayers and ceremonies were prescribed, and thus the idleness of the clergy was encouraged, and the people deterred from attending divine worship. The book itself treats of the congregation, of behaviour during divine service, of reading the scriptures, praying, preaching, baptism, the communion, marriage, observance of the sabbath, fast days, burial, &c. It was left to a future general assembly to decide a question which was stated to be of the highest importance, namely, whether there had been at Ephesus a classical presbytery, and in Jerusalem a simple congregation. Many of the old forms and arrangements, such as crosses, altars, and confessions of the sick, were abolished. “ Nobody shall write or preach against the new ordinances ; he who shall in future use the old common prayer book either in the church or in public places, nay even in his own house and family, shall pay for the first

offence £5, for the second £10, and for the third be imprisoned for a year, and not allowed to give bail. The church having the right of the keys, may, through its priests, classes, and synods, censure, remove, depose, and excommunicate."

In this manner the Presbyterians had, in their opinion, obtained a complete victory; but, at the very moment when they were rejoicing at it and proclaimed it aloud, the real power, as usually happens in revolutions, had already passed into other hands. So long as the only question was a contest against the Papists and Episcopalians, there appeared to be scarcely any difference among the assailants, and this contributed to their victory. Now, however, that the Puritans wished to enforce their principles with the same partiality as those whom they had overcome had done before, many really liberal-minded men resisted this practical tyranny and were equally ready in adducing theoretical arguments in support of their assertions. As the Christian church, they said, had in the first centuries very naturally passed from the constitution of simple priesthood to the more aristocratical institution of bishops⁽²⁾, and as the monarchical principle had subsequently obtained the preponderance in popery, so it would not be proper, since the Reformation is taking a contrary course, to stop half-way, and they pressed on to the extreme point, in order, after a full view of the whole, to return to and hold fast what, to the best of their

knowledge and conscience was most suitable to the age and to the people ; and as religious and political affairs in England were now so essentially blended together, there ought to be some gradations in the former as in the latter. After renouncing the authority of the monarchical pope, the High Church thought that it had found the only true constitution of the church in an unlimited aristocracy ; whereas the Presbyterians rejected all rights, dignities, and gradations belonging to individuals, and indicated the more democratical tendency, in admitting laymen to a share in the government of the church. On the other hand, however, they not only separated the church from the state, but in fact placed it above it, and reconstructed the hierarchy, in as much as they placed classes, synods, and general assemblies one above the other, to which the legislative and judicial authority belonged, and which everybody was bound absolutely to obey.

Irritated by the unconditional claims of the Puritans, and excluded from all toleration, the Independents now opposed them, and affirmed that it was quite the same thing whether Christendom was tyrannised over by a pope, twenty bishops, or a thousand priests ; and thus an external union and slavish subordination was not only unnecessary in spiritual Christianity, but was also contrary to Christian liberty ; that every Christian congregation was in itself a complete perfect church, which was, im-

mediately and independently of other churches, under Christ (*), by which, however, the idea of a universal Christian church, in a truly spiritual sense (25) was not abolished; only it was maintained that no ecclesiastical constitution was absolutely of divine institution. This system appeared to depart as far as possible from the Catholic idea, which seeks to establish and maintain unity in spiritual affairs by external forms and a common government; and yet, in this mode of considering and concluding, an important step still remained to be taken: for the congregation had or needed a church government, and might tyrannise over the individual members. Accordingly the Erastians (26) rejected all church government whatever (because it always acted on partial principles, and endeavoured to enforce them), and assigned only to the state the superintendence of all religious communities, merely however with regard to public safety and order. (27) Lastly, appeared the Levellers, at the farthest extreme of the course we have pointed out: since they did not, like the Presbyterians, stop at the independence of a national church with a connected organization; or, like the Independents, at that of the several congregations (28); but claimed for every individual an absolute right of self-government in religious matters, without denying that a similarity of sentiments might lead to a natural union.

In connection with these religious views, political notions, as we have observed, were developed; and if

the Episcopalians generally promoted unlimited monarchy, and the Puritans an essential limitation of it, the Independents for the most part recommended, and endeavoured to obtain, a republican constitution (²⁹); and the Levellers were in danger of rejecting civil as well as ecclesiastical authority, and of running into pure anarchy (³⁰).

So much we have premised as a preliminary general sketch of the character of the several parties which, in a narrow space and in a short time, set up in theory almost every possible system, and endeavoured to call them practically into existence. An impartial appreciation of them would probably shew that in each of them there was an element of truth, which might have been cultivated and employed to advantage, and the absolute rejection of which always called forth the opposite tendency, and led to unchristian quarrels. On the other hand, in every system and in every form, error manifests itself as soon as a party proclaims its own opinion an infallible truth, positively condemns every departure from it, and at one time tyrannises under the pretext of the general law, at another dissolves all public order under the pretext of personal liberty.

At that time the victorious Presbyterians considered themselves as the only true divine church, the only one agreeable to God, and stigmatised all persons who entertained different sentiments as damnable heretics. The latter, however they dif-

ferred in other respects; agreed that such discrepancies are natural; that liberty of conscience is an inalienable right; and that it is the indispensable duty of every one to enquire and decide for himself in matters of religion. Though the Puritans had formerly argued in a similar manner in opposition to the bishops, they now answered. There is only one truth, and God is to be worshipped in spirit and in truth. Laxity in principles is closely connected with an immoral way of life; unity of faith edifies, exalts, and preserves; whereas sects produce only ridicule and dissolution of all religion. The human mind is certainly disposed to such deviations from the right path; but, for that reason, requires to be always led into it, and compelled strictly to abide by it. Even popery does not appear so reprehensible as this labyrinth of sects and divisions, where reason is renounced, piety trodden under foot, and Christ crucified afresh.

In a satire, which of course looks only at the extreme exaggeration of those times, is the following passage:—"These are feltmakers who can soundly deal with the blockheads and neutral demi-casters of the world; cobblers who can give good rules for upright walkers, and handle scripture to a bristle; coachmen who know how to lash the beastly enormities, and curb the headlong insolences of this brutish age, stoutly exhorting us to stand up for the truth, lest the wheel of destruction roundly overrun us. We have weavers that can sweetly inform us of the shut-

the swiftness of the times, and practically tread out the vicissitude of all sublunary things, till the web of our life be cut off. Here are mechanics of my profession who can separate the prices of salvation from those of damnation, measure out every man's portion, and cut it out by a thread, substantially pressing the points till they have fashionably filled up their work with a well-bottomed conclusion."

In such a general excitement and perturbation of the people there cannot fail to be much that is ridiculous and absurd ; or an inspiration, arbitrarily taken for granted, is to supply the deficiency of all knowledge and learning.⁽³¹⁾ But if the latter, disregarding its own dignity and value, indulges in an intolerant and subtle love of disputation, or converts religion into a cold mysterious doctrine of abstract notions, the people, with a right feeling of the existing deficiencies, draw of themselves from the spring which is withheld from them, but trouble it by unrestricted eagerness, till wiser guides recover and deserve their confidence. It must be allowed that individuals resisted Church discipline that they might be able to sin more at their ease, and, from their attacks on human institutions, came to deny the fundamental doctrines of Christianity ;⁽³²⁾ but, on the whole, these errors were avoided, and the new extravagancies were, for the most part, the natural reaction of the former tyranny. If the Presbyterians complained that the Independents, by their many objections, unhappily checked

the rapid progress of the Assembly at Westminster, and yet would not submit their own system to examination, the latter might answer, If there were no opposition, the ambitious majority might have acted with still greater partiality and precipitation ; and it was contrary to their peculiar principles to attempt to obtain for any system absolute predominance and recognition, or absolute condemnation. Therefore it was and is of little importance what the Independents themselves taught on any particular point, but that they maintained the idea of Christian liberty, toleration, and Church government, in a new and highly important manner ; nay, that they placed it at the head of their whole system. It is true that they contradicted themselves, inasmuch as they more or less excluded Romanists and Episcopalians from this toleration ; this exception, however, was founded chiefly on the circumstance that these set up unlimited claims, and that political reasons had essential influence.⁽³³⁾ It was only by degrees that Chillingworth, Hale, Locke, &c. freed the doctrine of the Independents from defects and exaggeration ; and no sensible person ought now to deny that the toleration of different religious views does not necessarily originate in general indifference, but grows up out of Christian charity, and may and ought to be practised by every state and every Church, without thereby undermining or preventing its own firm fixed conviction.

Though the Independents were not able to get their views adopted in the Assembly at Westminster, they met with much approbation among the people, and even in Parliament. And thus the Presbyterians found that their apparently absolute victory availed them nothing, because the House of Commons did not confirm their resolutions, and the people did not voluntarily adopt and carry them into effect. The heads of the Presbyterians, Hollis, Long, Waller, &c. found themselves overpowered by the enthusiasm and worldly wisdom of their opponents, Cromwell, Vane, Whitelocke, Selden, Fiennes, St. John, Haslerig, and Martin; and the self-denying ordinance was for the latter not merely a political but a theological victory, because above two-thirds of the officers and most of the soldiers in the newly-formed army were of the party of the Independents. ^(*)

In this divided opposition both parties needed a mediator or an ally. Hence the King acquired new importance, and he thought that the disunion of his adversaries would enable him to become master of them all; though the events of the war had not led to any positive superiority but to misery of all kinds. Necessity and arrogance served equally as an occasion or pretext for acts of plunder and violence; whence an acute observer says, "The vexatious austerity of the Puritans was no less oppressive than the boastful licentiousness of many Royalists." ⁽³³⁾ The one party plundered in the name of God, the

other in the name of the King. On both sides the people's minds were agitated by the most powerful motives : liberty, religion, law, love of the King and of the country. No one dared to remain neutral ; though, as we have said, not merely the timid and selfish would willingly have withdrawn, but even the most noble-minded men scarcely knew what party to join, or how they should lead every thing to a middle and moderate course. Even a zealous advocate of the Parliament, Colonel Hutchinson, complains of those times, and says—" The soldiers were often without pay and food ; and, after manfully supporting the greatest hardships, endeavoured to indemnify themselves. On the other hand, persons who had been injured often presented false and exaggerated statements of the loss they had sustained. It frequently happened that everybody wanted to talk and to command in every place and on every subject, while none would obey. The quiet and well-disposed were suspected and calumniated, and everything was interrupted, impeded, and misinterpreted. Even in the places occupied by the Parliament evil pestiferous parties were formed, and people of mean origin tormented and tyrannized over the most worthy citizens and nobles."

This deplorable state of things, and the position of the great religious and political parties in Parliament and in the Assembly at Westminster, led, even before the passing of the self-denying ordinance, to

fresh attempts to negotiate a peace. On the 20th November, 1644, four deputies from the House of Commons, and two from the Lords, repaired to Oxford, to submit to the King the conditions proposed by Parliament. Though the King had promised them a safe-conduct, the ultra-royalist mob exclaimed, on their entrance into Oxford, that they were rogues and rebels, and pelted their carriages with stones and mud. A guard was given them for their safety, and all persons of any distinction, especially Hyde, manifested a serious desire for peace. The King, too, behaved with great affability, though he was dissatisfied that those who brought the proposals were not authorised to treat. They, however, received an answer, which they brought back to the Parliament, at the end of November. Four Lords, eight Commoners, and four Scotchmen were commissioned to negotiate for peace, at Uxbridge, with the King's commissioners. If the conduct of the Oxford mob deserves severe censure, how much more does that of a clergyman of the name of Lowe, who, at the beginning of the negotiations, said from the pulpit that the King's commissioners came with hearts full of blood; and that between the treaty intended by them, and a real peace there was as much difference as between heaven and hell. (³⁶)

The proclamations of the Parliament were like the former ones, only they were drawn up in much stricter and harsher terms, and notwithstanding the dissen-

tions which had already arisen, tended, with respect to the Church, to the unconditional acceptance of the Covenant and the entire rejection of the Episcopal system. Both parties again alleged the arguments already stated and at last, in order the more surely to attain the object, they disputed, after the manner of the schools, in logical forms. This mode, however, only made the contrast between the two parties more striking and manifest; and how could they approximate or agree, as each set out with the principle that its system was of divine origin and divine authority, so that nothing could be given up or conceded without the greatest sin. ⁽³⁷⁾ Charles, and the advocates of the Episcopal constitution, affirmed that it had been proved to be the best ever since the origin of the Christian church, and that it must be maintained according to the coronation oath; to which Henderson, in the name of the Presbyterians, replied, that the bishops always defended popery, or at least endeavoured to retain or to introduce many things connected with it; that they were the authors of the dissensions between England and Scotland, as well as of the rebellion in Ireland, and besides that their abolition was the best means of uniting all Protestant churches. The last proposals of the King respecting the constitution of the Church, were as follows:—

“ That freedom be left to all persons, of what opinion soever, in matters of ceremony; and that all penal laws enjoining these ceremonies be suspended.

2. The bishops exercise no jurisdiction or ordination, without the consent of the Presbyters, who shall be chosen by the clergy of each diocese. 3. The bishop shall constantly reside in the diocese, unless required by his Majesty to attend him on any occasion ; and, if not hindered by old age or sickness, he shall preach every Sunday in some church within his diocese. For the time to come no man shall hold two livings with cure of souls. All proposals for further improvement shall be discussed and decided by the King and Parliament." The party of the Independents would probably have been satisfied for the present with these concessions ; but the majority in Parliament thought themselves, on account of the Scotch, bound by the Covenant, and were obliged entirely to abolish every kind of ecclesiastical hierarchy, according to the will of the Scotch, or to renounce their zealous support ; which, as they had to oppose the King and the Independents, seemed doubly indispensable.

The parties found it equally difficult to come to an understanding respecting the militia. The King proposed that ten commissioners named by him, and ten by the Parliament, should arrange this matter during the next three years ; whereas the Parliament required the sole direction till three years after the conclusion of peace, and wished to bind the King, for seven years more, to accept every proposal regarding general laws. In justification of these demands, it

was alleged that, without influence over the army the Parliament, as a changeable body liable to be dissolved, would have no security against the King. To which it might be answered, that this security was to be found in the law relative to the summoning of Parliament, and its rights to vote taxes. All those points which we have above-mentioned were involved in these two questions on the army and the church ; and it was very natural that the commissioners could not come to an understanding in twenty days. The Parliament, which intended and demanded no discussion, but the unconditional acceptance of its proposals, refused, in spite of the King's remonstrances and the intervention of Holland and France, every prolongation of the term which it had arbitrarily fixed ; and to the King's offer to go in person to Westminster with a safe-conduct, and there continue the negotiations, he received no answer whatever. All the moderate and judicious friends of their country were deeply afflicted at the failure at all attempts to bring about a peace, and each party endeavoured to throw the blame upon the other. The Royalists affirmed that Charles had already yielded too much, and had thereby destroyed the due balance between the powers of the state ; that any further concessions would make him the mere shadow of a King, not only to his own ruin, but to the injury of the whole kingdom. To this the friends of the Parliament replied, that the present state of affairs, dangers and

opinions, required new securities for liberty and religion, as well as a new system of political and ecclesiastical law. The King, therefore, was wrong in referring in all his demands and discussions to former times only, and to circumstances which no longer existed, and were least of all calculated to serve as models for the future. That instead of yielding with new confidence and a sincere heart to what was inevitable, he thought of recovering what had been extorted from him at the first favorable opportunity, and relied on the support of foreign powers, on the success of Montrose in Scotland, and on the Irish rebellion.

It would certainly have been unreasonable and injudicious if the King had thought of setting up former relations and rights as unalterable to all eternity, thereby putting an end for ever to all legislation; but in fact he had already made so many changes, and either voluntarily or by compulsion yielded so much, that his dangerous preponderance was entirely out of the question, and there was much more need of securities for the few rights left to him, than for the newly-acquired and important increase of liberty. For though his army was still animated by a sense of honor or by hatred and contempt of its opponents, there was more religious and political enthusiasm in the army of the Parliament. Here all considered themselves as chosen vessels of grace, and the democratic principle allowed talent to make

its way in every manner; whereas there were many impediments in the Royalist and Aristocratic circles. If the King hoped much from foreign assistance or from a change at home, he was here again under an illusion.

Spain was indisposed towards him, on account of preceding events, and of the recognition of Portugal; and did him more harm than good by the interest which it took in the fate of the Irish Roman Catholics. The Prince of Orange would willingly have done something for his father-in-law; but the States-general were inclined to the Parliament. All the other European powers were more or less weakened by the unhappy thirty years' war, and France wished that England might be prevented by intestine troubles, from acquiring any decisive influence on the Continent. As Charles's power declined more than was expected, some interest was indeed manifested for him as King; but during the minority of Louis XIV. there was want both of courage and of means to afford him any effectual assistance. Accordingly, in the instructions for the French Ambassador, Sabran, in May 1644, (*) we find the following passage: "You are in all cases to favor the King, that he may recover his legitimate authority; but at the same time to act with such prudence as to appear as a mediator and not as a partizan, and in case of a change not to have gone to far. It may be hoped that God will support the King's just

cause, and it is proper to act in future, as we have hitherto done, in this spirit, but not as if it was designed to make him a perfectly absolute sovereign. On the contrary, the laws must be maintained, to counterbalance the too great power of Kings, to appease people's minds, and quell the rebellion."

In a subsequent letter of June, 1644, the French Minister, Brienne, says: "It is much to be lamented that a political quarrel is transformed into a religious war; I am equally afraid of an unlimited monarchy and a republic, where the people acquire the dominion, or rather the most insolent obtain the greatest influence. Unhappily, the King is too weak, and surrounded by Ministers who always lead him to be afraid. Endeavour to preserve Royalty and the Catholics; but take care not to offend those who may become masters."

Sabran answered, in several letters: The Upper House perceives that it has engaged itself in a labyrinth, and has become absolutely dependent on the more numerous Lower House. Both Houses, however, have given up the power to the refuse of the two nations. The King will be got rid of, or be more limited than the Doge of Venice. The Parliament, being the stronger party, does not desire any agreement, but rather a decision by arms. The King can gain little by a battle, but lose everything. His army of eight or nine thousand men is ill armed and ill paid; and most especially the persons of distinction are tired of

all these sufferings. The Queen has fled; and things have come to such a pass that the furniture of her ladies has been taken out of the palace and sold. Nobody here is safe from tumult and violence. The leaders see no means of salvation but disorder, which they promote both at home and abroad.

These communications shewed that Charles could not depend on any considerable assistance from foreign powers; and it may be doubted, whether such interference would have had any salutary effect. There appeared better foundation for the hope that Montrose would cause the royal party to predominate in Scotland. In fact, he passed in triumph through the whole country; but he had neither fortresses nor any adherents besides his army, and in consequence of his former rigour no confidence was now placed in his professions of lenity. On the 3rd of February, 1645, Montrose, relying on his good fortune, wrote to the King, "That he ought not to negotiate in a manner unworthy of him, with rebels; they must absolutely throw themselves on his mercy." This letter may have excited exaggerated hopes in the King, and have unhappily contributed to the breaking off of the negotiations for peace; but undoubtedly other very important reasons influenced him. Besides, it could not possibly inspire Charles with confidence, when at the same time a remonstrance came from the Scotch General Assembly of the Church, in which, with great profession of loyal sentiments, the bitterest com-

plaints were contained, and the King was accused of the most unpardonable faults and obdurate impiety.

In this state of affairs, he turned his eyes upon Ireland. The intolerant cruel resolutions of the English Parliament against the Irish Catholics, which we have already mentioned, made all reconciliation for the present impossible, and compelled them to resist. Accordingly, the Catholic clergy, assembled at Kilkenny in May, 1642, declared: "With greater right and more reason than the Covenanters of Scotland, who have been so highly commended, we make war for our religion, our manners, and the protection of the King against the Puritans and other rebels." More moderate than their adversaries, they added: "Should, however, individual Catholics, on personal or unjust pretexts, suffer themselves to be actuated and led away, through cowardice, hatred, cruelty, or revenge, or other illegal causes, we declare this to be a great sin, which, if exhortations fail, shall be checked by ecclesiastical penalties." To this resolution were added judicious measures for preserving union and order, such as the establishment of separate authorities for the several counties, and a general one for all Ireland. In October, 1642, Urban VIII. gave his consent to war, and granted indulgences to those who took part in it.

Notwithstanding the severe orders of the Parliament, nothing of importance was done to suppress

the Irish rebellion, because it was thought better to employ all the troops against the King. However, to put an end to the dreadful evils of civil war, after the removal of the unworthy Parsons, and with the assistance of the new Governor, Ormond, an armistice for one year was concluded on the 19th of September, 1643. It gave equal offence to Catholic and Protestant zealots; nay, the Parliament of London entirely rejected it, alleging that it destroyed Protestantism and the honor of England, was contrary to the interests of the three kingdoms, and would draw down upon them the anger of a jealous God. Thus the war begun, for a second time, with the same violence, though the views and objects of the two leading parties themselves by no means agreed. Some desired the entire triumph of Catholicism, and the restoration of the complete independence of Ireland; others would have been contented with the confirmation of the Charter of Graces. In some the interests of the Church was the chief object, in others, political considerations predominated; many were decidedly partizans of the Parliament and republicanism, while on the other side there were Protestant and Catholic royalists. Hence proceeded demands which were wholly incompatible with each other. Thus, the Irish Protestants demanded of the King, on the 6th of April, 1644, the expulsion of all Catholic clergymen; indemnity for all damage suffered from the Catholics; the disarming of them;

the confiscation of the estates of all the guilty ; the taking the oath of supremacy by persons in office and Members of Parliament ; no amnesty or pardon, but the exemplary punishment of all who had taken part in the rebellion.

On the other side, the Catholics demanded, on the 9th of May, with a repetition of all their former grievances, the abolition of all the laws passed against them, the freedom of divine worship, a free Parliament, permission to acquire landed property, admission to all offices, facilities with respect to trade, and an amnesty. They add, however, as the Catholics have been so bitterly calumniated, they propose (to justify themselves, and to shew how much they wish that all wrong should be punished) that all murders, breaches of contract, and cruelties committed by persons of both parties, shall be excluded from the amnesty ; that inquiry shall be made into them, and the guilty punished. These proposals of the Catholics were unquestionably more in a spirit of humanity, justice, and true Christianity than those of the Protestants, and much severer censure is deserved by an order from the English House of Commons of the 16th of October, 1644, of the following tenor: "No Irishman and no Papist born in Ireland shall receive pardon ; on the contrary, every such person is excluded from all compacts, capitulations and pardon ; and if taken, shall be immediately put to death. Whoever is neglectful or

remiss in the execution of this order shall be considered as a promoter of the bloody Irish rebellion, and subject to the merited punishment which the justice of the two Houses of Parliament shall impose upon him."

With such barbarism in the pretended defenders of true liberty, the Catholics were obliged to place all their hopes upon themselves and the King. His Majesty, in fact, wrote to Ormond on the 15th of December, 1644: "I promise that when peace is concluded, and the Catholics persevere in due obedience, the penal statutes against them shall not be enforced. If they further give me the promised support to suppress the rebellion here, and I am restored to my rights, I will consent to the abolition of all those ordinances by a law; but all the regulations against appeals to Rome and the *Præmunire* remain in force." The notion of granting the Catholics any kind of toleration or freedom of conscience was, however, so far from the minds of the Presbyterians, who were at that time the prevailing party, that Baillie, though one of the more moderate, exclaims, "Such a scandalous concession must draw down the indignation of God and man." This way of thinking, which was well-known to the King, would have led a man of a more energetic and exalted character either openly and decidedly to declare against it, or consistently to join in it; instead of which, Charles, actuated by necessity and hopes of

a manifold kind, pursued a wavering equivocal line of conduct, which gave ground for the reproach that he had endeavoured, by hypocrisy and breach of promise, to deceive all parties.

Thus the above mentioned letter to Ormond contradicted a preceding one, in which he said, that he would rather risk the danger of a war than grant anything to the Roman Catholics, contrary to the religious faith which he, by the grace of God, was resolved to defend to the utmost; and to the Parliament he had declared that it was against his honor and conscience to grant toleration to the Irish Catholics. After the negotiations for peace, at Uxbridge, were broken off, he ordered the Marquis of Ormond, on the 27th February, 1645, to conclude peace with the Irish upon any terms, provided only that the Protestants in that kingdom and the royal power were secured and preserved. Even the annulling of Poyning's law, and other ordinances against the Roman Catholics, by a new law, did not appear to him to be too exorbitant a demand, if they would only seriously assist him against the rebels; for no conditions could be too hard to obtain this object, provided they were not contrary to honor and conscience. Honor and conscience ought certainly to be definite, indubitable, inviolable ideas; but these expressions changed their significations with the vicissitudes in the state of affairs, served as a pretext and cloak, and the more easily left an opening for

explanations and evasions, as care was taken not to give them any real value by positive declarations.

This appears in the celebrated negotiations of the Earl of Glamorgan. The King's wavering, the increasing demands of the Catholics, and the daily growing power of the Parliament, had placed Ormond in a very unsafe and painful situation ; and as he did not zealously support any party, he could not acquire the implicit confidence of any. Charles, therefore, thought that he might commence a second series of negotiations, through the Earl of Glamorgan, who was entirely devoted to him, and highly respected by the Irish Catholics. The first commission, of the 6th January, 1645, only authorised him to enlist recruits ; in the second, of the 12th January, we find, that whatever he negotiates and does Charles will approve, on the word of a King and of a Christian. The third commission, of the 12th March, contains an equally unconditional promise to confirm whatever he may resolve and agree to. Mention is also made of secrets, and that the Lord Lieutenant (Ormond) was not qualified for this business. Lastly, on the 30th April, the King wrote to the Nuncio, Rennccini, recommended the Earl Glamorgan in the strongest terms, and declared that he considered himself as bound to sanction whatever they two might agree upon. But that in these matters secrecy was necessary.

In the treaty, which was drawn up after long

negotiations, the Roman Catholics were promised the free exercise of their religion; the possession of all the churches at any time held by them since the 23rd October, 1641, and all other churches in that kingdom except those actually enjoyed by the Protestants; exemption from the jurisdiction of the Protestant clergy, the abolition of all penal laws, payment of tithes only to the Catholic clergy, admission to all offices, &c. For this the Roman Catholics were to give the King an army of ten thousand men, and the clergy to contribute towards its support two-thirds of their income for three years. When this treaty, which if kept entirely secret, appeared to be wholly unmeaning and ineffective, accidentally became known, the most vehement accusations were made that Charles had broken his word and his oath, and intended, by the aid of the idolatrous Papists, whom he had encouraged, to destroy true religion and the liberty of his people. In this distress, he denied that he had given the Earl Glamorgan full powers, for any other purpose than to raise recruits; and that he did not know what the Earl might have promised to the Romanists. The Marquis of Ormond, who was not at all or but partially informed of all these transactions, caused the Earl of Glamorgan to be arrested, and the King gave orders to institute a strict investigation into his conduct. The accused confessed what he had done; but added that the King was the less bound by it,

because he, the Earl, had always expressly declared that he would not bind the King to anything further than he himself should approve. But, at the same time, Glamorgan had given his word of honour not to communicate this declaration to the King till he had done his utmost to induce his Majesty to agree to the conditions. About the same time, Charles wrote to the Marquis of Ormond: "On the word of a Christian, I never intended that Glamorgan should do anything without your assent, and still less without your knowledge. Carry the inquiry through; but do not execute the sentence before making a complete report, as the Earl has probably failed rather from false zeal in my service than from any ill intention."

There is no proof whatever that Glamorgan forged those directions, as some affirm, without the knowledge of the King, nor was this ever asserted by his Majesty for his own justification. On the contrary, Charles wrote to the Earl^(*), who was set at liberty at his desire: "I will fulfil all the directions and promises which I have given to you and to the Nuncio. Your services to me are so great that they exceed every expression that I, as your true friend, could employ." In another letter, Charles confessed that he intended secretly to grant to the Catholics more than was contained in his public declaration; and Glamorgan himself clears up the whole matter when he says: "I had agreed that a

starting hole should remain open for the King, that in case his subjects should make objections, he might be able to deny that he had ever given me any such commission. I trusted to his word, and was content for his sake that he should sacrifice me." But all these artifices, mysteries, obscurities, and evasions, this promising and retracting, affirming and denying, are worthless on every occasion, and above all in such an age, which was pleased only with uncompromising bold extremes. Thus, Charles, by these Irish schemes, lost his credit, not only with the Protestants but with the Catholics; and his most faithful adherent, Clarendon, exclaims: "The full powers granted to the Earl of Glamorgan cannot be excused in the face of justice, piety, and prudence."

Unhappily the Irish Catholics were equally destitute of these qualities; they quarrelled among themselves, and Renuccini the Nuncio, (a proud, bigoted man, who was unacquainted with the country, and formed an erroneous judgment of the state of affairs,) put himself at the head of a party, which would willingly have expelled all Protestants from Ireland; nay, he even wrote to Rome that the ruin of the King was to be desired, and would be to the advantage of the Catholics. This absurd wish was but too soon fulfilled.

On the 14th of June, 1645, when Glamorgan's negotiations were not yet ended, the armies of the King and of the Parliament met at Naseby. Each

of them consisted of twelve or fourteen thousand men ; but the latter was better organized, and had more confidence. Though Charles distinguished himself as a soldier and a general, the battle was lost by the rashness of Prince Rupert, and the ability with which Cromwell took advantage of his fault, so that the conquerors made four thousand prisoners, took the baggage and artillery, and even the King's carriage and correspondence. A great part of the latter was printed and published ; and, in conformity with its contents, the King was reproached that while he made public promises, he was secretly pursuing contrary plans ; that he desired to repeal the laws against the Irish Catholics, and to bring them with other foreign troops, into the kingdom ; nay, that he said, even of those who risked their lives and fortunes for him at Oxford, that they were a base, mutinous, and mongrel Parliament : if he thought so of his friends, what must his adversaries fear from him, and what security did his word afford for all new laws and treaties. On the other hand, the King complained that his most private letters were printed, garbled, and misinterpreted. In fact, they show various plans, hopes, ideas of war and peace, and in general a changeableness of views and passions, which in no case degenerates into anything criminal, but is deficient in veracity, firmness and consistency ; and at such a moment must have diminished, if it had been possible, the affection and confidence of the people.

Accordingly, his equitable proposals for a peace, which, after the loss of Bristol, on the 10th of September, 1645, and a defeat of Montrose, on the 13th of September were repeated more urgently, and now doubtless with sincerity, were not listened to by the House of Commons, though the Lords, in a sense of future danger to themselves, were more inclined to a reconciliation, and the Scotch, (for the sake of the suppression of all sects,) appeared disposed to join in it⁽⁴⁰⁾. The parties in Parliament only found a means for a temporary reconciliation, at the expense of the country, by resolving, that the King should afterwards elevate the most important of his adversaries to a higher rank, and agree to the presents and dotations which were now proposed. Without waiting, however, for the confirmation of this resolution, the Presbyterians and Independents allotted to themselves very large sums; and we find Fairfax, Essex, Cromwell, Haslerig, Hollis, Selden, Valentine, Waller, Stapleton, Brereton, Skippon, and others, with grants of pensions of £2500 to £5000.

Five days after making these exorbitant grants, the Commons sent to the Lords proposals of peace, which, for the most part, coincided with those which had been made before; and this in consideration of the great distress and misery in the kingdom. When Charles, however, offered to confide the army to persons agreeable to the Parliament, or that they might themselves choose the half of them, he was

answered that the conditions of peace should be sent to him. When he further offered, if they would give him a safe-conduct, to come to London for forty days, with only three hundred attendants, in order thereby to facilitate and hasten the conclusion of peace, he was answered by the Commons, (who feared that he might meet with much support in the capital, which was weary of the war,) that till the King had given satisfaction and security to both the kingdoms, his coming could not be convenient, and would be of the less use, if he intended to depart again in a few days, and to renew hostilities. The King again conjured the House of Commons, by the misery which would ensue, and by the account they must all one day give to God, to put an end to the quarrel. On the 29th of January, 1646, he offered religious toleration, a general pardon, the disbanding of the army, and the surrender of all fortresses, consequently everything that could be required⁽⁴⁾; but he offered it as King, and remained a King in every respect, which was as offensive to the Independents as religious toleration was to the Presbyterians,

All, therefore, though for different reasons, again declared his proposals to be insufficient. Nay, as the apprehension of the King's coming to London increased, the House of Commons gave orders, in that case, to arrest his attendants, to permit nobody to see him, and to secure his person. At the same

time, all Catholics were ordered to leave London and the vicinity.

In this situation, when the military force of the King was entirely destroyed, and no reliance whatever could be placed on foreign aid, or on a reconciliation on equitable terms, it was now to be considered which among the desperate resolutions might still be taken, and was the least dangerous. A flight to France was scarcely possible ; and, considering the situation of that country, and the want of inclination to do anything effectual for Charles, would be equal to an abdication, to which the King would probably have submitted if there had been any prospect that his son would be placed upon the throne on reasonable terms. In Ireland the two parties nearly balanced each other ; but the Protestants were for the most part in favor of the Parliament, and to throw himself entirely into the arms of the Catholics appeared to be conformable neither to the dictates of prudence nor to the personal feelings of the King. The Parliament in London had prohibited all persons from receiving the King under pain of high treason ; and the army, though mostly consisting of Independents, refused to receive him, not so much out of respect for that command as because it did not seem advisable to the leaders to take upon themselves the first part in this very unpleasant affair. Thus it was neither from free choice nor precipitation that the King thought of a reconciliation with the Scotch, whom he had not

indeed satisfied in every respect, yet he had formerly conceded more in proportion to them than to the English. The French Ambassador, Monsieur Montreuil, undertook, with honorable intentions, to examine the state of things, and to conduct the negotiations. How he proceeded in this matter, will best appear for the clearing up of many doubts and accusations, if we select some of the most important passages from his correspondence⁽⁴⁾.

On the 1st and 10th of January 1646, Montreuil writes: "I have found the Scotch Parliament divided into three parties: 1, the Argyles, who desire to ruin the King and royalty; 2, the Hamiltons, who declare that they wish the preservation of both, while they labor powerfully underhand for their destruction; 3, those who are independent of the two parties, and entertain sincere wishes in favor of the King and the royal authority; but who do not think themselves strong enough, or are not magnanimous and bold enough to adopt the necessary means. For this reason the Scotch Parliament resolved, that if the King came to Scotland, they would secure his person, and deliver him up to the English. Of two hundred votes, there were only seven or eight in favor of the King. If he will not accept the Covenant and Presbyterianism, his plan of going to Scotland, is quite wrong; in England he will find, if not more friends, yet more persons, who do not care for these two things. On the 15th of January, Montreuil wrote to the King:

“ Your Majesty must no longer bargain, but hasten to send to both Parliaments the acceptance of the proposals made at Uxbridge; then, but not before, you will be safe in the Scotch army. If you will not take this advantageous resolution while you are able, you will perhaps wish to do so, when it will no longer be in your power.” The King answered verbally and in writing, “ I never will consent to what my people require of me; not only because it is disgraceful to do for the threats of subjects what has been refused to the entreaties of friends, but because I believe that what is demanded is contrary to my conscience and the good of my dominions.” “ As a soldier and a statesman,” he said on another occasion “ I see my ruin before me ; but God will not suffer traitors and rebels to triumph. As I have by no means to take care of myself alone, but of my crown, my heirs, and my friends ; religion, honor, and duty compel me to reject all terms which are not compatible with this object. I can foresee too, without the gift of prophecy, that if they do not unite with me, all will be ruined.”

These observations were in general neither unnatural nor wholly unfounded, but did not by any means decide what duty, conscience, and honor really prescribed or permitted in the individual case ; and still less was it to be conceived how Charles thought to save himself, in the ruin of all. Montreuil therefore continues his observations, and says⁽⁴³⁾, on the 10th of January, 1646 : “ The Scotch desire to have no

dispute with the English, and will in the end do whatever the latter require. They will either not receive the King at all, or will keep him in as close confinement as the Independents wish. Now, when all the representations which I made to the King on this head did not alter his resolutions, I endeavoured to gain the chiefs of the Scotch army, and proved to them that even the Covenant bound them not to abandon their King. Hereby, I said, they would restore the honor of the nation, which was sullied by the resolutions of Parliament respecting the delivering him up; they would also, if they preserved the King, be formidable to the Independents, on whose friendship they never could depend. Notwithstanding all this, there is no appearance that what I or others say or do will have the desired effect."

Hereupon Montreuil repaired to London, and endeavoured to influence the Scotch Commissioners residing there. With how little success appears from a letter of the 5th of February, addressed to Charles, in which he says: "The Scotch would yield no more, partly on account of their Covenant, partly not to lose their friends in England. While the King endeavours equally to gain both parties, the Presbyterians and Independents, he satisfies neither; nay, he loses both; for the former will never be contented without the concession of all spiritual, the latter without that of all temporal, demands. The latter

especially endeavour to plunge everything into a state of anarchy. Nor can the King entertain any hope of foreign assistance ; it is not only very uncertain, but would even serve to bring about a reconciliation between all his enemies at home."

The next letters of the King to Montreuil contain various promises for the Scotch Commissioners, and state that he will yield with respect to religion, and cause himself to receive instruction, in the Scotch camp, on the Presbyterian constitution of the Church. Nothing, however, is expressed in a clear and satisfactory manner. The more must we be surprised at a letter from Montreuil, of the 1st of April, in which, in the name of the King of France and his mother, he promises, that if Charles goes to the Scotch camp, he shall there be received as a natural sovereign, and enjoy all freedom of conscience and honor ; they would assist him with their power to establish a solid peace, and to recover his just rights. The place from which this letter is written is not mentioned, so that we cannot tell whether it was penned in London or in the Scotch camp. Nay, it does not even decidedly appear whether these promises expressed only wishes and intentions of the King of France, or whether, and in what manner, the Scotch Commissioners had assented to them. It seems that the letter had not reached Charles on the 12th of April, for he writes that he was resolved at all risks to go to Montreuil. Three days later, the latter

writes, as all communication was intercepted, he had unhappily been prevented from sending any message. He advised the King *not* to come; for here, in the Scotch camp, no regard was paid to what he, Montreuil, had promised for the King of France, and to what the Scotch Commissioners had promised him in London. If the King knew of any other resource, he had better stay away; but if he had not, Montreuil was still bold enough to assure him, that if he did not meet with entire satisfaction, he would, however, be in safety. All these letters gradually reached the King.

Meantime the Parliamentary army, under the command of Fairfax, had so closely invested Oxford, that the capture of the town and of the King's person seemed to be inevitable ("). He, therefore, fled on the 27th of April, in disguise, with only two attendants, Ashburnham and Hudson. As soon as information of this event was brought to London, the Parliament gave orders that no person should receive or harbour him, on pain of death and confiscation of property ("). Charles had already arrived on Harrow Hill, and was perhaps doubtful whether, relying on the sentiments of the citizens, he should ride into the capital; but the above orders, and his character, which was averse to all sudden and decisive resolution, made him turn back. He was still in hopes, too, that instead of a humiliating peace, he should be able, with the help of Montrose and of the Irish,

to begin a new and successful war. After nine days' wandering about, he was at length convinced that no resource was left to him but the Scotch camp. On his arrival, the majority really were and some pretended to be surprised, and wrote to the English Parliament that the King had come to their camp so unexpectedly, and to the astonishment of every body, that they thought it was a dream ; that they would remain true to the Covenant, and not undertake anything against England. On the other hand, the King declared that he had not gone to the Scotch to begin a new war, dismissed the troops that he still had in England, and ordered the Marquis of Montrose to cease from all hostilities⁽⁴⁶⁾.

About the same time, however, a letter from Charles to the Marquis of Ormond became public, to the effect that the Scotch had given good security that he and his friends should not suffer in their persons, honors, and consciences ; that they would join him and obtain, even by arms, a just peace and the preservation of his rights. The Parliament of London declared that it was evident from this letter, that the King intended to engage England and Scotland in a new ; war and he himself and Montreuil fell into a dispute with the Scotch, as to what and how much they had promised. The views of the Scotch Commissioners in London, of the commanders of the Army, and of the Parliament at Edinburgh, were certainly not the same. Nothing had been set down

in writing, or agreed to and determined in due form, with the persons now in power ; and thus the persons who had given the most advantageous assurances to the French Ambassador had still a pretext and opportunity to retract, and to wash their hands in innocence. Montreuil, however, persisted in affirming that the Scotch had not required the confirmation of the Covenant, which they now demanded, when they caused the King to come to their camp (""). This shews of what injustice they are guilty, when they insist on things which they did not advert to before ; and with what justice the King refuses what they had even promised *not* to demand. The Scotch, on their side, said that all they now required of him was not contrary to his honor and his rights.

But however distress, indiscretion, or precipitation had co-operated, where and in what degree delusion and deceit had prevailed, what was done could not be undone, and all parties had to think more of the future than of the past. The King was a prisoner, and could not think either of a new successful war or of a second flight ; his sole hope rested on the dissensions of his enemies, or on a reconciliation with them. His having given himself up to the Scotch Presbyterians could not but be considered by the Independents as a severe blow upon their party. They were, however, well aware how far Charles was from participating in the views of the Presbyterians, and hoped they should gain him, by reasonable

proposals with respect to the affairs of the Church, or find some means of getting him out of the hands of the Scotch. The latter were equally zealous to convert the King to Presbyterianism, a task which was undertaken by Henderson, one of their most eminent theological advocates. His correspondence with Charles may be reduced to the following principles, expressed by both.

The King : My conscience, history, and my coronation oath bind me to maintain the Episcopal Constitution of the Church.

Henderson : In the most ancient Christian Church there were no bishops, and the Reformation under Henry VIII. was incomplete. Though an oath is sacred, yet cases may occur in which the obligation to observe it ceases. If your father's spirit could at this moment speak to you, he would advise you not to incur such great dangers, for the sake of men who would rather destroy the throne with themselves than perish alone.

The King : Alterations are good only when they are evidently improvements, and what Henry VIII. began was completed by Edward VI. and Elizabeth. The present Presbyterian system, too, is not older than Calvin, and its superiority to Episcopacy is rather asserted than proved. The motive or the condition of the coronation oath still continues, and can least of all be abolished by the Parliament as it is now constituted. Lastly, if my father's spirit could speak

to me, he would say, a reform attended with bloodshed is never just and conformable to the word of God: prayers and tears are the only answer of the Church.

Henderson : Reason must triumph over experience and custom. Reforms undoubtedly come best from the highest authority; but if they are obstinately refused, they may come from inferior authorities and the people, and if the former way is to be preferred with respect to the instruments and mode of proceedings, the latter is preferable as concerns the result and the effect. Elizabeth did not complete the Reformation: on the contrary, the English Church, like that of Laodicea, remains lukewarm between the Roman and Reformed Churches, has unnecessarily increased the number of dignities, and made the Church subordinate to the civil power. Many would attain perfection, if they did not think that they were already perfect. An oath taken respecting the bishops cannot be binding when the welfare of the whole people is concerned, and in Scotland an alteration has already been necessary. Prayers and tears may be the true weapons of the Church; but it is neither just before God, nor advisable for Kings and Princes to make use of those arms. An erring conscience ought to be corrected, but not held up against better arguments and more just conclusions.

The King : Though education and habit ought not to make me determine in the last instance; yet the will

of another is at least as weak a foundation to build my faith upon. All reform through the people, and originating with the lower class, seems to me to be not much better than rebellion, and cannot by any means be justified by Scripture. The Church cannot flourish without civil policy; no new offices have, however, been introduced into the Church in England; nay, there are more in Scotland itself, for instance, the moderators of assemblies. The Apostles were neither bishops properly so called, nor priests in the modern sense of the terms; and as there is a difference between the Apostles and Presbyters, so is there between the modern Episcopal Constitution and the first Apostolic Government of the Church. Spiritual ambition is by no means confined to the Pope; for instance, I do not consider it as a proof of humility to desire to be wholly independent of the King, and a papacy of the multitude might be as dangerous as that of Rome. Kings should certainly not cause the Church to endure affliction; but I think it quite unlawful for subjects to make war on their legitimate Sovereign, even in their own defence.

So much may serve to characterise a dispute in which the King approved himself a match for his theological opponent, who in the sequel spoke with great praise of the King's knowledge and acuteness. The question who had the advantage is for the most part decided according to the preconceived opinions of those who have judged of it; yet we may observe

that the King was so far not quite consistent, as he considered the Episcopal Constitution to be of divine and indefesible right, and therefore obstinately opposed its abolition in England, though he gave his consent to its abolition in Scotland, and had even approved of the Roman Catholic constitution of the Church for the Irish Catholics.

The attempt really to convert the King to Presbyterianism having failed, it was necessary for both parties to think of affecting at least an external agreement. Charles therefore again declared that he had not gone to the Scotch to renew or to prolong the war, but to secure his person and promote peace. He was willing to regulate the affairs of religion according to the advice of the divines of both kingdoms, to do what he could for Ireland, to treat the militia according to the propositions at Uxbridge, to disband all soldiers and give up all fortresses. (Oxford fell into the hands of the Parliament the 30th of June, 1646.)

These proposals were rejected, because most of the newly-elected Members of Parliament voted against them, and the renewed proposal of the King to come to London for the more easy management of the negotiations was likewise refused. Meantime all the towns and fortresses fell into the hands of the Parliament: the last place that surrendered was Ragland Castle, four years within three days after the erection of the royal standard at Nottingham.

“ Since the war is ended,” says Whitelocke, “ new divisions arise ! Even after victory we find no repose, no security, no confidence. Let us pray to God that we may never again see such unhappy times.” In Charles’s works there are thirty-eight letters and proposals printed, which he successively made for peace, but none led to the desired object. Now, after his adherents were entirely disarmed, his adversaries demanded of him the revocation of all measures against the Parliament, and the confirmation of all its resolutions ; his accession to the Covenant, the annihilation of the High Church, the settlement of religion for England, Scotland, and Ireland according to the will of the Parliament, new laws against the Jesuits and Papists, the education of Catholics by Protestants, the recognition of all debts that had been contracted, the renunciation of all authority over the army for twenty years, the exclusion of the Peers created since May 1642, and the sanction of the measures which had been resolved upon against the delinquents. The Parliament had divided these into eleven classes, which were to be subjected to enormous punishments from that of high treason downwards, confiscation of property, &c. No person who had done the least for the King or against the Parliament was safe in his person or property. In fact, they were resolved to have no amnesty whatever.

To the first and natural question of Charles, whether the commissioners who brought these propositions were authorised to enter into negotiations, they answered no, and demanded his unconditional approval. The King justly replied that he could not possibly give at once a decisive answer to such important, and in many points obscure proposals. This would be contrary to his conscience, and show a want of sincerity, as if he had promptly given his consent only because he intended not to keep what was extorted from him. Many royalists, too, said that the King was by no means free, and therefore would not obey his commands to lay down their arms. The Parliament, however, ordered that whoever continued in arms should be liable to capital punishment and his property confiscated. The House of Commons, also, by its own authority, converted into laws the proposals which had been rejected by the King.

None were more rejoiced than the Independents that the Presbyterians had failed in the attempt to conclude peace, as well as in that to convert the King. The latter were thereby separated from the King, and he almost necessarily thrown into the arms of the former; only the Independents were still undecided whether it would be best to conclude an agreement with the King, or to keep him as far as possible from England, or to depose him, or to bring

him to England, and by some means or other make themselves masters of him. ⁽⁴⁸⁾ The daily increasing complaints of the misery and distress which the Scotch army caused in the northern counties, and the large demands in money which the Scotch made with more and more urgency for the assistance they had rendered, at length gave to all these doubts a certain direction, and reduced them to two questions which apparently were not mixed together, but were most essentially connected, namely, How much does England owe to the Scotch; and are the Scotch bound to deliver up the King?

The Scotch demanded no less than £500,000, and were not to be put off with the observation that the whole contest had been carried on for their advantage also, and that they had already sufficiently paid themselves in the northern counties of England. They well knew what additional weight they could throw into the scale to support their demand. Though the English Parliament had prohibited the King, with the harshest threats, from coming to London, many complained that from want of confidence he had given himself up to the Scotch army, rather than to the English Parliament; that that army, paid by England, could have no right, on English ground, to the person of the King, with whom they were at open war; besides, all had sworn in the Covenant to maintain the rights and privileges of Parliament, and it was just that the

King should be near the Parliament, and unjust, as well as contrary to the Covenant, to keep him at a distance from it. To this the Scotch, or rather the friends of the King, answered, "The Scotch army does not consist of hired mercenaries absolutely subject to the English; but it is the auxiliary army of a free independent nation, and Charles is its hereditary King, whom the Scotch Parliament has no less claim than the English to have near it. To this it must be added, that the King, in his distress, confided himself to them, and thereby imposed a duty upon them more sacred than any condition or promise could have established. No less foolish would it be to keep the King a prisoner on account of the Covenant, which was said to be made for his liberty and his rights: it would be foolish to turn him to the worst enemies of the Scotch Church, by endeavouring to force his conscience, though the whole contest was commenced to maintain the liberty of conscience."

In answer to this, the King's adversaries said it was not confidence, but necessity and distrust, that had brought him to the Scotch camp, without any formal negotiation or promise of authorised persons having preceded. What unauthorised individuals might have said, and perhaps even promised in this respect, could not bind the whole kingdom, and least of all prevent them from doing what was most laudable and advantageous. The Puri-

tans especially considered the unconditional acceptance of the Covenant to be as natural and equitable as it was necessary and commendable. "But," adds Baillie, "it has always been the King's misfortune never to do anything at the right time, but to grant everything only from compulsion: and yet the blind may see that if he perseveres in playing the fool, he will be compelled to suffer himself to be confined within narrower limits." The Scotch, too, had already resolved that the adoption of the Covenant did not bind them to assist the King against England, and that he should not exercise any right of Government till he had accepted the terms laid before him in the name of both kingdoms. Lanerick, brother to the Duke of Hamilton, accordingly wrote to Charles: "I beseech your Majesty most earnestly, for your own account as well as for the sake of your children and the country, at least to accept the proposals relative to religion; otherwise nothing can be done for you. The most rigorous measures will be adopted against your Majesty; you will be thrown aside, and they will govern without you."

The King still considered such absolute concessions as contrary to his duty, and hoped that the equilibrium of the parties opposed to him would, in the end, place the decision in his hands (*). In fact many of the Scotch would perhaps have given way in some points, for fear of the Independents, but the Clergy, whom Guthrie calls, ignorant, bloody,

vindictive madmen and enthusiasts, always urged extreme measures. To these alleged religious reasons were added others of a temporal nature of no less importance. On the 16th of December, 1646, the English Parliament, without making any mention of the King, granted the Scotch £.400,000 ; but about the same time resolved that the King should be received by the Commissioners of Parliament, and that he should be conveyed to Holmby House, in Northamptonshire, for the safety and preservation of his person, and in defence of the true religion, according to the Covenant; that as soon as he had arrived there, and the Scotch army had returned home, endeavours should be made to induce him to accept the proposals and conditions laid before him at Newcastle, and consent to the alienation of the estates of the Bishops, with the produce of which it was intended to pay the Scotch.

With reference to these resolutions, the Scotch Parliament declared, on the 16th of January, 1647, that the King had several times affirmed that he would make peace, and be wholly guided by the advice of his Parliament. Relying on this promise, he had been received and propositions of peace tendered to him. He was further informed that Scotland must join with the kingdom of England and withdraw its army, and that danger to that kingdom might ensue, if it did not agree with the Parliament at London with respect to the King's person. Now, as his Majesty

had expressly desired to be near his two Houses of Parliament, and as the Parliament of England had proposed Holmby House for his abode, with respect to his personal safety, as he has given no satisfactory answer to the propositions, and it is necessary to preserve friendship with England, and to prevent new troubles; the Scotch Parliament, in order to fulfil the wishes of his Majesty, of the two Houses of the Parliament of England, and of this kingdom, declares its concurrence for his Majesty's going to Holmby House, or some other of his Majesty's houses in or about London, there to remain till he gives satisfaction to both his kingdoms in the propositions of peace.

During the deliberations, Hamilton, Lanerick, and a few friends of the King, used all imaginable arguments against this resolution. They appealed to the past and present times, and to posterity, to honor, duty, and compassion, to the glory of courageous behaviour, and the shame of cowardice. Nay, Lanerick said he would sooner lay his head upon the block than agree to such a proposal.

Those worthy men did not indeed succeed, by these and similar arguments, in wholly defeating the decision which they blamed⁽⁵⁰⁾, but it was probably owing to their influence that the following addition was made, "that till the conclusion of peace, no harm, prejudice, injury, nor violence be done to his royal person; that there be no change of government, other

than there has been for these three years past, and that his posterity, in no ways, be prejudiced in their lawful succession to the crown and government of these kingdoms. Now, as this is the clear intention and firm resolution of the Scotch with respect to their interests and their duty to the King's Majesty, they trust that for the same motives, and according to repeated declarations, their brethen in the English Parliament entertain the same views and opinions. They however expect a new declaration on this subject ; and with regard to the other wishes and demands now laid before them, expect brotherly and just satisfaction." Among these wishes they mentioned mutual assistance, joint negotiations for peace, and that England should with all speed provide money to pay their army.

When this resolution of the Scotch was communicated to the English House of Lords, it expressly agreed to all the points relative to the King's safety. In the joint answer of both Houses, on the 26th of January, 1647, they are, on the contrary, designedly passed over in total silence, and only the special demands in the last half of the proposals were granted. The Scotch were silent to this very significant proceeding, but contrived, to the great vexation of the English Commissioners, to delay the departure of their army and the delivering of the King. As soon however as Major General Skippon had paid the long-expected sums, ⁽⁵¹⁾ all difficulties were at once removed, and

they told the King that it had been necessary to come to a resolution, because he had not accepted the Covenant and the conditions submitted to him. To Charles's question, whether they meant to deliver him up, they replied (in order to save appearances, as if the matter had been effected without their taking an active part), that their garrison would retire from the place, and the English enter it at the same moment. They added that Charles would be received by his people with every mark of regard, and that no King of England had been so powerful as he. ⁽²²⁾ Such evasions and smooth speeches, however, could not deceive contemporaries or posterity. Even writers of that age say that the objections to the giving up the King were made only for the sake of raising the price. Their conduct was composed of religious hypocrisy, cowardice, want of feeling, perjury, and treason. It was alleged, by way of excuse, both then and in modern times, that Scotland could not expose itself for the King's sake to a war with its more powerful neighbour, which in the end would have led to the same result ; and that the money had been long since demanded and promised for other reasons, and could not by any means be considered as the price of the sale of the King. It was only by delivering him up that the fatal war could be ended, that the armies might be disbanded, and that of England, which consisted of Independents, be rendered harmless. Lastly, the Scotch Parliament had declared, in sufficiently

strong terms, for the King's safety; and nobody could foresee the subsequent events, on account of which such bitter retrospective censure was passed upon them.

Though these remarks were by no means destitute of truth, it might be answered that Scotland had, on less urgent occasions, not feared war with England; and that, by moderate conditions, they might much more easily have approximated to a solid peace, than by unjustly, and contrary to express promises, sacrificing the King, to ruin him and the Independents at the same time ⁽³³⁾. Without the gift of prophecy, it was easy to foresee the future dangers, which are clearly spoken of in the resolution of the Scotch Parliament. It was only out of cowardice and injustice that no notice was taken of the silence of the English Parliament, though that silence so clearly revealed the secret purposes of the parties that no explanation was necessary. In the same manner all mention of the King's name was hypocritically avoided in the negotiations, though it is beyond all doubt that the delivery and payment were closely connected, and immediately followed upon each other ⁽³⁴⁾. Besides, the temporal leaders and the puritanical zealots divided the blood-money among them, under the name of an indemnity; as they had sold their souls with the King, they were resolved at least to derive some worldly advantage from it ⁽³⁵⁾.

In spite of all excitement, the respectful veneration for the majesty of a King, and natural compassion for one reduced so low, had not been wholly banished from the simple minds of the people, by ambition, selfishness, and false learning : for instance, when a puritanical minister preached an insolent sermon before the King, and when the sermon was ended, called for the 52nd. Psalm, which begins " Why dost thou, tyrant, boast thyself, thy wicked works to praise ;" the King arose and called for the 56th. Psalm, which begins " Have mercy, Lord, on me, I pray, for men would me devour ;" the congregation refused to join in the Psalm proposed by the preacher, and joined aloud in that called for by the King. When he arrived at Newcastle, the people received him with ringing of bells and bonfires ; wherefore, to check these demonstrations, a declaration was issued, that, notwithstanding his presence, everybody should obey the Parliament. At Nottingham, Fairfax, with many officers, received him, kissed his hand, and showed him every mark of external respect. " On the whole road to Holmby," says Sanderson, " especially in the towns, the people flocked together in incredible multitudes, joyfully exclaiming, ' Hosanna, God save the King,' while the more calm observers shed tears and presaged the melancholy future."

Ludlow, a violent adversary of Charles, not only confirms this account, but adds, " Though the King

was defeated, a prisoner, and wholly powerless, the people still thought that he possessed his rights, that he was above responsibility, and in a situation, too, to give pardon, not to need or to receive it." On the road from Newcastle to Holmby House, the inhabitants flocked in crowds from all quarters, fell on their knees before him, brought their sick, that he might touch and cure them, and honored him as if he alone was able to restore peace and security.

This good-natured interest of the multitude was, however, of no avail, in opposition to the smaller number of bold and active innovators; nay, when an attempt was made in the English Parliament, so much had circumstances changed, to prove from the Covenant that care must be taken of the King's safety, Martin replied; "Has he not broken the peace, and what binds the Parliament to take this care?" In fact the only care taken was to inspect his correspondence, to suffer no friends to approach him, to force some zealous Puritans upon him, in the place of his own chaplains; and, at times, to ask their prisoner whether he did not feel himself more at his ease in England than in Scotland. "It is more just," he answered "that I should be with those who have bought, than with those who have sold me." "This giving up of the King," says Montreuil, "has increased the hatred of the English towards the Scotch, even to detestation. They do not cease to reproach them

and call them Jews, who have sold their King. Nay, the English officers were obliged to use threats and blows, to hinder the women at Newcastle from pursuing the Scotch garrison and pelting them with stones. (⁵⁶)

NOTES.—CHAPTER III.

(1) Page 208. *Scobell*, p. 37. *Clarendon* in many places, for instance, Vol. II. p. 211, 264. Many irregularities took place at the new elections; and during the summer vacations, when many Members of Parliament absented themselves, those who remained carried their plans into effect with the more ease. *Hollis*, p. 41, 42.

(2) Page 214. According to Clarke's Edition of the Life of James I. Vol. I. p. 11, 17, each army consisted of 10 or 12,000 men, and on both sides only about 1,500 were killed.

(3) Page 215. In November, the House of Commons assented to a petition for peace, lest the people should grow cold. *Journals of the Lords*, Vol. V. p. 431.

(4) Page 218. Nathaniel Fiennes, who commanded in Bristol, was afterwards condemned to death by a court-martial of the Parliamentary army, but pardoned by Essex. The Royalists did not strictly observe the conditions that had been agreed upon, and many were of opinion that it was not necessary to be so particular with rebels. *Whitelocke*, p. 67. *Clarendon*, Vol. VI. p. 144.

(5) Page 218. Hampden was not a perfectly faultless character, but far purer than Mirabeau: the death of both was ultimately a misfortune both for King and country.

(6) Page 220. He did not die of the lousy disease, but of the effects of great age and exertions. *Rushworth*, Vol. III. p. 2, 276. According to a Narrative of the Disease of Mr. Pym, published at London at the time, he died in consequence of a tumour in the bowels.

(7) Page 223. *Parl. Hist.* Vol. III. p. 115. *Scobell*, p. 73, 75. The following duties were imposed: on beer, per barrel, from 2 to 8 shillings; on cider, per hogshead, 2 shillings; on wine, per quart, 1 to 2 pence; on English tobacco, per lb. 2 shillings; on foreign tobacco, 4 shillings. *Journals of the Commons*, Vol. III. p. 88, 107, 331, 417. *Dugdale*, p. 127. In almost all direct taxes, the Catholics were taxed higher than the Protestants, and the Recusants double. *Parl. Hist.* Vol. II. p. 842.

(8) Page 223. The Journals of the Parliament record numberless high fines of this kind; thus, the Earl of Thanet paid £20,000. *Journals of the Commons*, Vol. IV. p. 645, V. 64. With the fifth part of what was afterwards raised by taxation, (says *Clarendon*, Vol. V. p. 68) the King and the State would have been saved.

(9) Page 225. The Hothams had not indeed yet entered into any positive engagement to quit the Parliament, but they were resolved to do so, and behaved at the same time with so much timidity and selfishness, that at such a time their ruin was inevitable. *Clarendon*, State Papers, Vol. II. p. 183. *Rushworth*, p. 2, 803.

(10) Page 227. *Hollis*, p. 9. *Parl. Hist.* Vol. II. p. 159. Already, in August, 1642, we find a lord complaining that he was obliged to keep away from the Upper House, "by scorns, menaces, and affronts from the people." *Ellis's Letters*, 2nd series, Vol. V. p. 295.

(11) Page 227. *Parl. Hist.* Vol. III. p. 2, 357, 369. *Journals of the Lords*, Vol. VII. p. 333. The Queen did not wish peace till after the dissolution of the Parliament at London. *Charles's Works*, Vol. I. p. 305.

(12) Page 229. *Burnet Hamilton*, p. 247, 250. Many Noblemen and Clergymen of both parties disapproved of such violent proposals and measures, but self-interest, fear, and dissatisfaction acted together. *Guthrie, Mem.* p. 127, 195. *Cook*, Vol. III. p. 71, 73, 97.

(13) Page 231. *Laing*, Vol. III. p. 230 relates that Montrose offered to the King, in 1641, to murder Hamilton and Argyle as his enemies.

(14) Page 231. When Leslie was created Earl of Leven he promised never to draw his sword against the King ; now it was said to be for freedom and justice. *Monteith*, p. 80. *Laing*, Vol. III. p. 259.

(15) Page 231. *Journals of the Lords*, Vol. V. p. 387 ; *Parl. Hist.* Vol. III. p. 24, 331, 350, 521, &c. The numbers often vary. The King affirmed that there were in London only eighty Members of the House of Commons and fifteen or sixteen Lords (*Parl. Hist.* Vol. II. p. 18;) and *Whitelocke*, p. 77, says, there were at Oxford only eighty Commoners and forty Lords. *Clarendon's Life*, Vol. II. p. 148, says, the Parliament at London was reduced to a fifth part of its number, and acted as if were complete. The Members of Parliament who left London were thrown into Prison as soon as they could be found.

(16) Page 236. *Parl. Hist.* Vol. III. p. 328 ; *Clarendon*, Vol. VII. p. 260 : *Baillie*, Vol. II. p. 60, says of Cromwell, in September, 1644, "he is a very wise and active head, universally beloved as religious and strict ; being a known Independent, the most of the soldiers who love new ways put themselves under his command."

(17) Page 240. According to a report of the French Ambassador, the bill passed in the Upper House by a majority of one vote only, which was a proxy, produced when it appeared that the numbers *pro* and *con* were equal ; and when the Earl of Essex produced another proxy on the opposite side, it was refused, on the ground that that Nobleman was a Catholic, and had fled to Ireland.

(18) Page 240. It was in the same manner that Bonaparte got rid of Sieyes.

(19) Page 241. A few proud, self-conceited, hot-headed Sectarrians had got into the highest places, and were Cromwell's chief favourites, and by their very heat and activity bore down the

rest, or carried them along with them. *Orme's Life of Baxter*, Vol. I. p. 65.

(20) Page 248. A report of the French Ambassador even says : of twenty Lords who were in London, only *nine* appeared, and *five* of them consented to the execution, chiefly because they wished to shew their compliance in a matter in which they were indifferent, and because they knew it was not in their power to save him.

(21) Page 249. According to *Cook*, Vol. III. p. 69, only about seventy Clergy appeared. Each Member received four shillings a day.

(22) Page 250. *Baillie*, Vol. II. p. 97 ; when the Assembly, on a subsequent occasion, (April, 1644) endeavoured, in representations to Parliament, to act as an independent body, it was severely reprimanded, and told that it could deliberate on nothing unless commissioned to do so, and still less decide without the Parliament. *Parl. Hist.* Vol. III. p. 460 ; *Journals of the Commons*, Vol. IV. p. 518.

(23) Page 252. We cannot discuss here how the priests, in contradistinction to the laity, form an aristocracy, and the bishops collectively a monarchy.

(24) Page 254. In a creed of the Brownists is the following passage : *Cœtum quemlibet particularem, esse totam integram et perfectam Ecclesiam, ex suis partibus constantem, immediate et independentem* (quod ad alias ecclesias) *sub ipso Christo.* *Vaughan*, Vol. II. p. 256.

(25) Page 254. The Independents gave to every male communicant the right of voting in all ecclesiastical affairs, in determining points of doctrine, in the appointment and removal of Clergymen, &c. *Baillie*, Vol. II. p. 67.

(26) Page 254. Thomas Erastus (Lieber) died in 1583, at Baale, as professor of medicine. The Seekers affirmed that the true Scriptures were lost, and they sought for them. *Orme*, Vol. I. p. 127.

(27) Page 254. We cannot here enter more minutely into the differences among the principal parties; it is sufficient to point out the main gradations.

(28) Page 254. A difference arose among the Independents themselves, (says *Baillie*, Vol. II. p. 24) when a Mr. Williams taught, that there was no true church on earth, because man ought to serve God in his own way.

(29) Page 255. However we are only half entitled to look on the Independents as necessarily Republicans, for under other circumstances they were zealous adherents of the House of Hanover. *Vaughan*, I. 260.

(30) Page 255. Among them may be reckoned those also who were already at that time designated by the name of *Rationalists*, who recognised in State and Church only what coincided with their reason, in which they were in danger of setting up their individual arbitrary opinions as absolute reason. *Clarendon, State Papers*, Vol. II. app. XL.

(31) Page 257. The Independents (says *Baillie*, Vol. II. p. 67, 85) require from every member of the congregation, besides a creed (for the most part Calvinistic) and moral conduct, such signs of grace that all may be convinced of his regeneration. They also allowed every one to preach.

(32) Page 257. Many rejected the doctrine of angels, devils, sacraments, and even denied the immortality of the soul.

(33) Page 258. This was connected with the question, how far those may be tolerated who condemn all toleration.

(34) Page 259. The lawyers in the Parliament considered the spiritual authority as emanating from the temporal power, and joined the Independents. *Neale*, Vol. III, p. 314; *Lingard*, Vol. V. p. 273.

(35) Page 259. There were frightful excesses, plundering, and murder even, in the Parliamentary army at the beginning of 1645. *Whitelocke*, p. 126.

(36) Page 261. *Neale*, Vol. III. p. 212, 219; *Cook*, Vol. III.

p. 92. In the same manner as the Parliament had caused the Hothams to be executed, so did Cromwell, in the sequel, have this Lowe put to death. *Clarendon*, Vol. XII. p. 264.

(37) Page 262. A proposal, supported by several Lords, to put this question wholly aside, and immediately to enter on the details, was called by others an unjustifiable abandonment of principles.

(38) Page 266. France however (according to the *Negociations Secretes de Munster*, Vol. I. p. 69) granted the Queen a considerable sum to retrieve her affairs. *Flassan*, Vol. III. p. 90; *Clarendon*, Vol. VI. p. 322.

(39) Page 276. It only remains doubtful whether the document is genuine by which Charles promises to give his daughter to the son of Glamorgan, with a dowry of £300,000. *Warner*, p. 373, 378; *Br.* 354; *Leland*, Vol. III, p. 285.

(40) Page 279. Petitions for peace and a suspension of hostilities, which were addressed to the King and the Parliament from many quarters, were ill received in London; nor was any neutrality tolerated. *Journals of the Lords*, Vol. VII. p. 484.

(41) Page 280. *Parl. Hist.* Vol. III. p. 438, 452, 458. He added however, only they should not trouble his adherents, nor confiscate their estates, nor compel them to adopt the Covenant. *Whitelocke*, p. 224; *Clarendon*, Vol. VIII. p. 206.

(42) Page 282. *Clarendon State Papers*, Vol. II. p. 211. 228. *Negociations de M. Montreuil*.

(43) Page 283. 10th January, 1646. *Negociations de M. Montreuil*.

(44) Page 286. Charles had several times been in such distress for money at Oxford, that his household had been supported by the Sundays' offerings. *Ellis's Letters*, second series, Vol. V. p. 319.

(45) Page 286. *Parl. Hist.* Vol. III. p. 63; *Warnick*, p. 2, 5. The arrival of the King in London was feared, because he would gain a great party. *Ludlow*, p. 68; *Baillie*, Vol. II.

p. 206. At the taking of Oxford Prince James was made prisoner; all the officers, except Fairfax, kissed his hand, and Cromwell alone also knelt to him. *Clarke, Life of James II.* Vol. I. p. 29.

(46) Page 287. *Mem. de Montrose*, Vol. I. p. 124. In spite of Montrose's remonstrances, the King confirmed his order, and Montrose went to France.

(47) Page 288. *Report of M. de Montreuil*.

(48) Page 295. *Report of M. Grignon to M. Brienne*, October, 1646.

(49) Page 297. *Laing*, Vol. III. p. 357, 359. A peace concluded by the Marquis of Ormond with the Catholics in Ireland was of no advantage to the King, but only revived certain reproaches. *Dumont*, Vol. VI. p. 1; *Neal*, Vol. III: p. 274, 315. The death of Essex, too, (he died the 14th of September, 1646) was a loss to the King.

(50) Page 299. According to *Sanderson*, p. 939, 940, and *Whitelocke*, p. 240, it was decided in the Scotch Parliament, by a majority of only two votes, that the King should not be brought to Scotland.

(51) Page 300. *Ludlow*, p. 71. After the King had been given up, it is not likely that they would ever have received the money.

(52) Page 301. *Letter from M. Montreuil to M. Brienne*, February 12, 1647.

(53) Page 302. If the Scotch, (says Montreuil in a Report of the end of January, 1647) deliver up the King, they act contrary to their duty and to what they have promised.

(54) Page 302. For until the English dispose of the King, the Scots are not like to have £40,000, a considerable sum for Scots to sell their souls. *Sanderson*, p. 927. The French Minister, Brienne, writes in terms equally offensive, "Endeavour to gain over the Chancellor of Scotland himself with money, he will not be offended by it, because he is a Scotchman; that is to say self-interested."

(55) Page 302. The Marquis of Argyle received for himself and his friends £43,000 ; Hamilton and his friends, £50,000, &c. Nor was it doubted that the Ministers also were rewarded ; yet the same was conveyed, that the proportions came not so publicly known. *Guthrie's Mem.* p. 197 ; *Neal*, Vol. III. p. 304 ; *Laing*, Vol. III. p. 364, 369 ; *Brodie*, Vol. IV. p. 75 ; *History of the Covenant*, Vol. I. p. 122 ; *Lingard*, Vol. X. p. 353.

(56) Page 305: *Negociations de M. de Montreuil Letter a M. Brienne*, Feb. 12, 1647.

CHAPTER IV.

From the Delivering up of the King, to his Death.

[1647—1649.]

Thus, the Scotch and English Presbyterians had triumphed in the state and in the church, made the King a prisoner, expelled the bishops, and arranged everything according to their own pleasure. But at the very moment that absolute power appeared to pass into their hands, and their system to be confirmed for all ages, they were already on the brink of the precipice; nay, after they had attained the highest elevation, they necessarily, in spite of all their struggles, fell with accelerated velocity. Only fear of the King, and hatred of him, had hitherto kept together the opposite extremes; but after the monarchical element of the constitution had been rashly and unjustly thrown aside, it appeared in another form, and endeavoured to recover its influence. The history of the English revolution shows first the just struggle of liberal-minded men against the arbitrary exercise of monarchical power; then the contest of extrava-

gant zealots against temperate royalty ; then the love of liberty in the army, composed of Independents, comes forward against the narrow-minded intolerance of the Presbyterians, but naturally degenerates into military licentiousness, and thus leads, through anarchy, to the despotism of Cromwell. This last turn and development being so very remarkable, we will now proceed to describe it in detail.

On the 16th of February, 1647, the King arrived at Holmby House, and only three days later, on the 19th, the great struggle began between the Presbyterians and the Independents, the Parliament and the army between ; Hollis, Glynn, Waller, Stapleton, &c. on the one side, and Fairfax, Cromwell, Ireton, &c. on the other. The Presbyterians were united by their consistent system in a more uniform course of action, and thereby doubled their power ; whereas their adversaries appeared to be weakened by the diversity of sentiments prevailing among them, and the more marked character of the individual leaders. As the Puritans, however, treated with intolerance all persons of a different opinion, the latter were compelled to unite in resisting, and found in the army an illegal but doubly dangerous point of union. Many thought that, in order to avert this danger, they must above all things, seek to gain the commander-in-chief.

Fairfax was a courageous, disinterested, and well-meaning man, whose personal character essentially contributed to the successful issue of this war. He was one of those men who, notwithstanding the best intentions, assist in promoting what is bad, because they have not strength of mind to foresee, nor resolution to destroy it; who almost unconsciously bring on revolutions, but are incapable of checking or of directing them. Weak through credulity, and credulous through weakness and good nature, he was almost always but an instrument to promote the objects of others, and helped to execute what he himself did not approve; till, confounded at the dreadful but inevitable turn, he retired from the scene with the poor consolation that even his adversaries did not ascribe to him the evil, which had, for the most part, been accomplished under his name.

Of a very different nature was Oliver Cromwell, who surpassed him and all the others. Born on the 15th of April, 1599, of respectable parents, in decent circumstances, well educated, though not learned or generally informed; after, as it seems, a more or less irregular course of life, converted to the rigid piety of those times, (1) married early, and a good husband and father. In the last Parliament but one, he sat as Member for Huntingdon; in the Long Parliament, for Cam-

bridge; and gave offence by the negligence of his personal appearance, as well as by the singularity and confusedness of his language. But he soon manifested so much activity and practical good sense, so much ability in influencing others, and catching the tone of his age, that he was employed, first in numerous Committees of the Parliament, and afterwards in the army: he, in fact, decided everything. At the beginning of his career, he had, by no means, laid down any plan; but the force of circumstances gradually gave him ideas, means, and resolutions. Hence, he said very characteristically to Warwick, "I can very well say what I will not; but, by no means, what I will: I shall know it as soon as it is necessary." Thus circumstances led and misled him, and he, on the other hand, knew how to mould them to the gratification of his passions. In that age, which threw down all barriers, the noble talent of guiding the minds of men could grow up to unbridled ambition, which, at the beginning, was unconsciously united in him with fanaticism; then he designedly used the latter as a pretext and cloak, till religious considerations and opinions withdrew more and more into the back ground; nay, till he at length maintained in theory, and reduced to practice, the impious principle that in extraordinary cases the dictates of morality must be disregarded, and right sacrificed to necessity. (2) Though more

avored and exalted by the Parliament, than any other man, he said to Ludlow, even at this time, "What a miserable thing it is to serve a Parliament. If any officious person gets up and throws dirt upon another, the latter can never purify himself."

As early as November, 1646, Fairfax had been received by the Parliament with excessive flattery; and Lenthall the Speaker, for instance, said, all future generals would wish to add his name to theirs. Even before that, when Parliamentary commissaries were sent to the army, Fairfax was requested with overstrained civility to admit them to his councils. If the Presbyterians hoped thus to gain the general and the army, the Independents believed with much reason that he would give the merit to them, and after such an acknowledgement of his power, would probably be induced to go further. In fact, after the arrival of the King at Holmby House, the real position of the parties was unreservedly manifested. The proposal to take the chief command from Fairfax was rejected by a majority of only 12; and, on the other hand, it was resolved, on the 19th of February, by a majority of 158 to 148, that the army should be disbanded, with the exception of the troops required for Ireland and the garrisons. By another resolution, of the 8th of March, it was decided by a majority of 136 to 103, that no member of Parliament should retain a command; that Fairfax should remain at the head,

that the officers under him should have no higher rank than that of colonel, and that they were bound to accept the Covenant.

The partial disbanding of the army, after the war was ended, was undoubtedly as necessary as useful; and the fear that the Royalists might again come forward with new energy was exaggerated. The Parliament, however, from manifest apprehension of the army, began its operation with too much violence and eagerness, did not provide for the immediate payment of the arrears, and converted a measure of public utility into a party business; because the order to accept the Covenant excluded all Independents, and cut off every hope of religious toleration. While petitions were sent from London and other parts of the kingdom for the speedy disbanding of the soldiers, who were a great burden upon the people, and a plan was drawn up to re-organize the city militia, to be employed, if necessary, for defence, and independently of the army, the Parliament received, on the 25th of May, a petition from several colonels and officers, which related partly to their pay and their future destiny, and partly, though in a moderate tone, touched upon many other matters. The Parliament answered, that the arrears of pay would be taken into consideration, but that the petitioners had no business to meddle with the affairs of state; "no further notice, however, shall be taken of their error in this respect, in consideration of their services."

Meantime a far greater number of soldiers and officers had presented to General Fairfax, on the 30th of March, a petition, requesting him to send it to Parliament. They declared in respectful terms that, notwithstanding hardships and privations of all kinds, they had never complained or presented petitions, or behaved in a disobedient manner. They now all requested that they might be secured against responsibility for what had been done during the war, and paid before they were disbanded; that provision might be made for invalids, widows, and orphans; that none might be compelled to further service; that only those who were willing might be sent to Ireland, and that a daily subsistence might be assigned them to prevent their becoming a burden to the country. Very warm debates arose in Parliament upon this petition, so that some thought the contents very natural, and approved it; others blamed it, but were of opinion it might be passed over if the petitioners did not proceed further. The zealous Presbyterians, with Hollis at their head, however, carried the following resolution: The petition is dangerous, and the object of it is to excite discontent and mutiny in the army; however, it shall be taken for granted that it originated with a few persons, and that the assent of others has been given either without reflection or by compulsion. Those who repent shall be pardoned, and those who persevere in this course, shall be treated as enemies of the state and public tranquillity.

Instead of alarming or quieting the army, this resolution of the Parliament only produced a reply. On the 22nd of April, one general, fourteen colonels and lieutenant-colonels, six majors, and one hundred and thirty captains wrote to the Parliament: "Our moderate and legal step has been misrepresented; for, according to the declaration of the Parliament itself, every person has a right to present petitions, and we hope that we have not forfeited our rights as citizens, and our own liberty, by becoming soldiers, and fighting for the liberty of our brethren; besides the Parliament received in a gracious manner petitions from the army of Essex and Waller, and returned thanks for them. In order, however, to avoid all appearances of an erroneous and illegal course, we delivered the petition to our respected Commander, that he might examine and forward it. There was the less reason to compel any one to agree to it, as the equity and justice of our demands is evident to every unprejudiced person. We hope that what is due to us as soldiers and citizens will be granted, and that such satisfaction will be given for the reproaches made us as the Parliament in its wisdom shall see good."

A few days after the presentation of these remonstrances, Major General Skippon appeared, on the 30th of April, in his place in the House of Commons, and produced a letter addressed to him by some divisions of the army, which was drawn up in an arro-

gant tone, complaining that there was a conspiracy to disband the army, contrived by people who had lately tasted the pleasures of governing, and, overstepping the limits of servants, had attempted to become masters, and already degenerated into tyrants.

Similar letters had been received by Cromwell and Fairfax. When the persons who had brought the letters were questioned by the Speaker, they gave insolent answers ; and violent debates ensued whether mild or severe measures should be employed. At length it was resolved that Cromwell, Skippon, Ireton, and Fleetwood should repair to the army, appease it, and give favourable assurances respecting the payment of the arrears. These men, though the leaders of the Independents, had gone to London, and attended the sittings of the Parliament, in order to appear as if they had taken no share at all in the proceedings of the army ; and Cromwell, in particular, pretended to be in all things agreed with the Parliament, and its faithful servant: in truth, however, nothing was done without the advice of him and his friends. Thus the soldiers of each regiment now chose three or four assistants or representatives, who were called adjudicators or agitators, who discussed in a sort of committee all measures that were to be adopted, and subjected all the resolutions of the Parliament to a subsequent examination. They formed a kind of Lower House, and the Officers an Upper House, by which the plan of resistance became more

consolidated and connected than was believed in London to be the case. As soon as Cromwell, who was the soul of the whole affair, arrived there, he bitterly complained, with profound dissimulation, of the state of affairs, but affirmed, however, with his associates, that they had found in the army no distemper, but many grievances. The Parliament returned thanks, on the 21st May, to him and his associates for their exertions, and on the following days came to many resolutions respecting the time and manner of paying the troops, of disbanding them, and of sending a part to Ireland. When it was proposed about this time to place some of the most violent of the agitators in strict custody, a Mr. Werenworth could venture to say they might be put in safe custody, but in the best tavern in the city, and be well provided with wine and sugar. Cromwell, referring to some violent debates, said still more plainly to Ludlow these people will never leave off till the army takes them by the ears and turns them out of Parliament. And in fact they still believed, as the King had done before, in their own inviolability and omnipotence, and did not take any right measures either to resist the army or to satisfy and gain it.

On the 29th of May, the new council of war declared that till all the grievances of the army were removed it could not be dissolved, so that the Parliamentary Commissioners were obliged to return without effecting anything. Three days later, on

the 1st of June, Fairfax willingly received a decisive proposal of the council of war, namely: In order the better to superintend the regiments, and to keep them in order, they shall be collected from their scattered quarters; then the general will not be obliged to go from place to place, and the Parliament will clearly see how far it may depend on the army, and the latter what it may expect from Parliament. Fairfax communicated this resolution of the council to the Parliament, recommending kindness and mildness, though the most blind could not but see in it a formal declaration of war. Hollis, with the most zealous of his friends, advised therefore that at a moment of such great danger Cromwell ought to be arrested, though complete proofs of his guilt were still wanting; and, in fact, this perhaps would have been the only means of averting the approaching revolution. But before it could be regularly brought forward in the slow Parliamentary course, Cromwell had again left London for the army, to which he gave a new preponderance by a bold and unexpected measure.

On the 3rd of June, 1647, Cornet Joyce, formerly a tailor, appeared at Holmby, at the head of a party of horse, and demanded to speak to the King. Being told that his Majesty was already gone to bed, he paid the less regard to the objection, as his men had quickly come to an understanding with the garrison, and drunk to their brotherhood, and conse-

quently neither the officers nor the commissioners of the Parliament could depend upon their support. When the King had been waked from his sleep, Joyce went to him, armed, and declared that he was come to take him to the army. Being asked by whose authority he came; Joyce answered, by the authority of the army. The King replied: I know of no legal power in the kingdom, except my own and that of the Parliament; have you not, at least, a written order from Fairfax? *Joyce.* Fairfax is a member of the army. *The King.* He is not a member, but the head of the army. *Joyce.* The soldiers at the door are my authority. *The King.* This authority is in truth written so legibly that it may be read without spelling. However, I shall not yield, except to force, unless I have a promise that nothing shall be required of me contrary to my conscience and my honor. *Joyce.* According to our principles, we do not force the conscience of any man, and least of all of our King; but only humbly beg him to go with us, in order to prevent a second bloody war which certain persons, who pretend to be friends to the King and the kingdom, would willingly bring about.

When the King reached the army, Fairfax affirmed, as we believe with perfect truth, that he had known nothing whatever of the whole enterprize; to which Charles answered that he could not believe this unless he hanged Joyce. The cornet being sum-

moned to appear, said: I have acted by instructions from the army; let it be assembled, and if three-fourths, at least, do not approve of my conduct, I am ready to be hung at the head of my regiment. In the Journals of the House of Lords, of the 3rd June, we find a declaration to the following effect: (‘) “We, soldiers, under the command of his Excellency General Thomas Fairfax; have, with the general assent of our comrades, manifested our real attachment to the Parliament and to royalty by carrying off the King, in order to prevent a second bloody war.” It is absolutely impossible that Cromwell and his associates should have known nothing of this plan; on the contrary, it cannot be doubted that they had contrived and brought about the whole, in order to anticipate and out-manceuvre the Presbyterians; wherefore Milton, the panegyrist of Cromwell, says: (‘) “The carrying off of the King was indeed contrary to the laws; but, under such circumstances, the most worthy men have often boldly saved the state, and the laws have afterwards confirmed their proceedings.” According to Huntingdon, Joyce said plainly that Cromwell had given him the commission; and the latter replied, “otherwise the Parliament would have carried off the King.”

When news of all these proceedings was brought to London, the adversaries of the Independents were thrown into the utmost consternation, and some feared that the King had come to a complete understanding

with them. Their apprehensions in this respect were however allayed by a declaration which the Earl of Dumfermling gave in his name, that he had been carried away to the army against his will, and did not think of undertaking anything against the Parliament, and he proposed that they should send deputies to him to hear the whole truth from his mouth. At the same time, a letter from the Commander-in-chief, dated the 4th of June, was brought to the Parliament, in which he acquainted it that he had neither known or ordered the carrying away of the King, but begged that the reasonable wishes of the army might be the more readily satisfied, as it had no intention to oppose the Presbyterians or set up the Independent government, or to meddle with state affairs in general, leaving all these things to the wisdom of Parliament. The Scotch deputies in London looked at this carrying off of the King in a very different point of view; they affirmed that it was contrary to the Covenant and the express conditions stipulated for the security of Charles, when he was given up, and took it for granted that the English Parliament had engaged to maintain and execute those conditions in which Scotland would readily afford every assistance. "The Scotch," says Montreuil, in a letter of the 2nd of June, (') "are astonished at the events in England and the triumph of the Independents; they plainly see the destruction of their religion, and of their property, which they value still more. Argyle and his party wished to adopt prompt measures.

Hamilton, on the contrary, endeavours to gain time, for fear that his opponents should get the upper hand. Lastly, the preachers prove that it is a duty to introduce Presbyterianism in England, even when not invited to do so."

Events of such great importance, and violent excitements of such a conflicting nature, caused in the Parliament an irresolution which usually hastens dangerous decisions, instead of preventing them. Thus the boldest carried a proposal that the King should be taken back to Holmby House, and placed under the superintendence of Parliamentary Commissioners; whereas it was decided by a majority of 96 to 79 in the Lower House, and of 6 to 4 in the Upper House, to grant the pecuniary demands of the army, to re-establish, by the mediation of deputies, the good understanding with the Parliament, and to expunge from the Journals of the House the resolution of the 30th of May against the army, because the soldiers had done such services, and had not intended to give offence. Fairfax, being informed of these circumstances, acquainted the several regiments that the Parliament had noticed their proper and laudable conduct, and would take care for the payment of their arrears, and for the remedying of their grievances. At the same time he exhorted them to be moderate, and not again to use their former offensive expressions against the House. "Hereupon," says one author, "the soldiers saluted the general with huzzas and

acclamations; but required him to remove all officers who were not of the same sentiments as themselves, and by their own authority, expelled those who had voted against the late proposals."

At the instance of Cromwell, Ireton, Fleetwood, Harrison, and others, who, notwithstanding the self-denying ordinance, held posts in the army, a solemn engagement had been brought about, on the 5th of June, and a document drawn up, in which the soldiers endeavoured to justify their preceding conduct, as well as the choice of agitators, and affirmed that it was by no means intended to overthrow the government of the Presbyterian constitution of the church, or to introduce general licentiousness, under the pretext of religious freedom; yet, at the same time, they speak of the injustice and tyranny of their enemies, and of the malicious and wicked designs and principles of certain persons in the Parliament. They plainly declared, that till their grievances were redressed, and all their demands granted, the army would not suffer itself to be disbanded by anybody, either wholly or in part.

Thus pressed by the disobedient refractory army, the Parliament considered it as a very fortunate circumstance, when, on the 8th of June, a petition was presented from the city of London requesting all honourable means might be used to come to an understanding with the army, that bloodshed might be avoided, the Covenant maintained, the King's

person secured, fresh negotiations be commenced with him, Ireland assisted, and new laws made for the protection of the city and the Parliament. On the same day numbers of discontented soldiers crowded round the House, and extorted a more prompt execution of what had been already granted. Thanks were, however, returned to the city, and it was resolved, on the 11th of June, that a committee of the Parliament and of the capital should, for the safety of the kingdom and of the Parliament, raise and arm men, and adopt all suitable measures; everybody was bound to obey and assist it. The army being speedily informed of all these circumstances, sent to the city of London a representation and justification of its conduct, and concluded their letter in the following words: "If you, or a great part of you, should be misled, notwithstanding these arguments, to employ arms against our just demands, we should, after this brotherly exhortation, be innocent of all the mischief that might befall your great and populous city." Conjointly with these threats, the army caused a report to be spread that it intended to restore the King and civil order, to abolish taxes, establish peace, &c. Fairfax, too, sent to the Parliament many petitions that were received in favour of the army. As it had formerly, in its mistrust, employed against the King arguments, reproaches, conjectures, &c. the same, now it had lost all credit and popularity, was done to itself, in scorn and ridicule, and

all that it now ventured to do in its pretended omnipotence was to request that Fairfax, with the army, should not come within forty miles of London. He answered, on the 12th of June, that he was sorry not to be able to comply with this request, because the army, as circumstances had required, had already advanced within twenty miles of London.

On the receipt of this intelligence, as Sanderson expresses it, such fear and boundless suspicion arose in the city that it seemed as if every body was mad. The Parliament deliberated day and night, but found that its resolutions, which at this time had been chiefly for the advantage of London, did not quiet the minds of the citizens, and that its measures did not alarm the soldiers. The latter and the general, on the contrary, answered the deputies of the Parliament that the nearer they were to the city the more easy it was to obtain money, to restore order, and to establish peace. Major-General Skippon, who was supposed to have been gained by presents, and by the chief command in Ireland, recommended, in a long speech, delivered with a melancholy countenance and a tone of lamentation, that the Parliament should be temperate and indulgent to the weakness of a jealous conscientious army which had performed so many services. The best, therefore, would be to appoint a day of fasting and humiliation, and to do what the soldiers demanded, otherwise they would call upon them all before they expected it. "Thus," continued

Hollis, "they cried *peccavimus* in order to escape a whipping."

From every concession of the Parliament the army proved the justice of its earlier demands and raised them, referring to the principles which had been frequently declared by the two Houses themselves. Instead of giving up the King as the Parliament demanded, the army now treated him with uncommon respect, so that apprehensions were conceived that he might place himself at its head and disperse the Parliament. The leaders of the Presbyterians, indeed, still preserved their courage, and endeavoured to prepare everything in London for serious resistance; but the violence of their opponents increased in an equal degree. When Hollis, for instance, fell into a bitter dispute with Ireton, and challenged him, the latter answered it was contrary to his conscience to fight a duel. Hereupon Hollis struck him in the face, and said, "Then let it be against your conscience to insult others." After such scenes between the leaders of the Presbyterians and Independents, no reconciliation could be thought of.

On the 14th of June, the Parliament received a declaration of the army and the generals, drawn up principally by Ireton, with the assistance of Cromwell and Lambert, in which, among other things, they say: "We are no hired mercenaries, who must assist in all kinds of oppression, but came forward to defend the rights and liberties of the country, which

are sufficiently known to us by the declaration of Parliament, and by our own common sense. In Scotland, Portugal, and the Netherlands they went much further than the army has done ; and the Parliament itself has declared that where the rights of nature, of justice, and of nations are, there is no undue resistance to authority. We therefore demand the expulsion and impeachment of eleven Members : viz., Holles, Stapleton, Lewis, Clotworthy, Waller, Maynard, Massey, Glyn, Long, Harley, and Nichols, who had particularly spoken and acted against the army ; they likewise demanded a month's pay in two days, &c. Further, that the Parliament should not raise any new troops, or grant the obedient soldiers and officers any advantages over those who had disobeyed ; and should give a strict account of the application of the public revenue ; that the rights of the King should be determined in harmony with the rights of the subjects, and an amnesty for the past must be proclaimed. The present Parliament must not continue indefinitely, according to the will of the Members, which is contrary to the constitution of the country and the rights of the people, and leads to tyranny. Triennial Parliaments must be restored, the representation of inconsiderable and decayed places must be altered, and a more uniform system introduced, founded on judicious principles ; for instance, with reference to the payment of taxes. No

person desires to overthrow the Presbyterian Church, but neither ought those who are restrained by their consciences from following certain forms and ceremonies, but otherwise live peaceably and according to the laws, to be punished on that account, or be debarred any rights and privileges. Our demands are, in short, for the general good, and are not founded on partial and selfish views. Wherefore we hope that God, in his goodness and mercy, will through us, as his blessed instruments, cause the peace and happiness of this unhappy kingdom to be established."

All these demands not only obtained the approbation of the commander-in-chief, Fairfax, in a special letter, but met with many friends in the country. The taxes, it was complained, become daily heavier, and a great portion of the revenue is employed for selfish purposes, and no account given. Unheard-of harshness is used towards the vanquished friends of the King, and to the bishops, who are reduced to distress. The Star Chamber is, indeed, abolished; but the committees formed in the counties arrest and punish at their discretion, and exercise a greater tyranny than ever, and all this too is done under religious pretexts, and every crime is accompanied with prayers and scripture phrases. If, therefore, objections may be made in some instances to the demands of the army, and if its haughty bearing cannot be

justified, as far as the form is concerned, yet there remains no other means to put down the temporal and spiritual tyranny of the Parliament.

In this situation, which must have been more bitter to the Parliament, which was lately so revered, when it considered its own conduct towards the King, it revoked the ordinance against the army, assigned money for its pay, and put a stop to the levy of recruits and to the preparations for defence. But it passed over other points in silence, observed that the expulsion of the eleven Members could not take place without a precise statement of the complaints against them and proofs; and, lastly, it again demanded that the army should remove to the distance of forty miles, and that the King should be given up to the Parliament. Fairfax did not pay the slightest attention to these demands, at first did not answer at all, then evasively, and it was not till the 23rd of June that a new humble petition of the army and its leaders appeared. It says, "The Parliament has not even taken our proposal into consideration; and far less resolved and effected any thing satisfactory. A party still manifests more despotism, oppression, injustice, and tyranny than were ever before known, brings disgrace upon all, and destroys the liberty of the soldiers and the citizens. It is not sufficient to remove this party, it must be punished; and we will enter upon individual charges, as soon as we are encouraged to do so by the expulsion of the eleven Members.

Why they deserve such treatment the Parliament best knows. We, on the contrary, cannot reckon up what has been done there *without a breach of the privileges of Parliament* ! To give up the King to our enemies now would be the more foolish, since, without an equitable determination of his rights and suitable considerations of his adherents, peace, tranquillity, and order are unattainable. The expunging the resolutions against the army, without stating the reasons, and the sequel, avails nothing and only lessens the respect due to the legislators. The army will without delay, and with energy, by some extraordinary means, deliver the Parliament from slavery, and put it in a condition conscientiously to perform its duties, especially with regard to all the demands of the soldiers."

After long and warm debates, the Parliament resolved, on the 25th of June, that the accused Members could not be suspended from sitting in the house till particulars were produced and proofs given. On the following day, however, news was brought that the army had advanced within fifteen English miles ; but merely, as Fairfax said, for the ease of the country and the soldiers. In this situation, when arguments and representations had no effect, and means were wanting to repel force by force, the eleven accused Members desired leave to absent themselves from the House. This was readily granted, though the Independents thereby gained the majority

in Parliament, and carried motions which had before been rejected. On the following day, the 27th of June, the army answered the preceding objections of Parliament, and boasted *with what delicacy it avoided to violate its rights*. "The doubt whether general accusations were sufficient to authorise proceedings against the eleven Members could not stop the course of the other affairs; and the House of Commons would certainly remember that in the impeachment of Strafford, Laud, and Finch, it had proceeded exactly in the same manner as the army did now; nay, that their arrest preceded the production of proofs. Meantime the army rejoiced at the modest retirement of the eleven Members: the House could proceed against them when it should judge it to be more reasonable and safe." Though the last observation seemed to indicate that the army would be satisfied with the exclusion of the eleven Members, it presented, on the 6th of July, a long series of points of accusation, which were answered by them very ~~cum~~ cumstantially on the 19th. (°) It is, however, the less necessary to enter into particulars, as the views and positions of the parties are evident from what we have already stated, and both seriously thought of obtaining the victory by a very different way than a strict observance of the law. The Independents, on their part, endeavoured more and more to gain the King; they treated him much more mildly than the Presbyterians, allowed his children, friends, and chaplain to have

access to him, and held out hopes of complying with his wishes respecting the constitution of the Church. They, however, did not make him any definite proposals ; whence sharp-sighted persons correctly inferred that they meant to use him as an instrument, and to keep him in suspense, rather than to determine disputed points according to his wishes. Hence Lanerick wrote to him that the army would certainly propose very hard terms to him, and at the most offered him religious liberty, for the loss of all temporal power. The King asking, in a conversation, with what right he had been removed against his will from Holmby House, Fairfax replied, from necessity ; on which Charles said, "I never ventured at the height of my power to do so much violence to the law, and yet those people cry out give us justice, or —— !!"

On the 8th of July, a letter from the commander-in-chief, recommending and justifying the milder treatment of the King, was received by the Parliament. The letter advised not to use greater severity towards him without necessity, which would only excite a new interest in his favor. " We are no enemies to the monarchy and civil order, but will not conclude any separate conventions with the King ; we have never sought of him or the Parliament anything for ourselves, but aim only at justice, truth, liberty, and peace for our contemporaries, and all our descendants ; we desire (to the joy of all good men,) harmony and concord between the army and the Parli-

ament, and shall know how to maintain it against all opponents." The mixture of truth and error, of humility and arrogance, of apparent obedience and direct resistance, which we find in the addresses of the army to the Parliament, calls to our minds its own proceedings against the King, only the retaliation is the more bitter because the soldiers ironically quoted an example or model for every step they took from the journals of the legislators, who had now lost all their power. The latter, however, did not give up their cause as desperate, but endeavoured to combat the army with its own weapons, by means of petitions, and to bring over the capital, which was for the most part inclined to the Presbyterians, entirely to their own side. On the 14th of July, a representation to the following effect, said to be signed by 10,000 well-disposed young men, was presented: "We have always been the first to defend liberty, religion, and the laws, and hoped that we had established a durable peace for us and our posterity; but now, to our great sorrow, we everywhere see only new dissensions, malignant parties, our most faithful friends discouraged, the rights of the Parliament and of the magistrates violated, divine worship disregarded, and liberty and property in danger. Taking this deeply to heart, and having before our eyes the honor of God and the happiness of the kingdom, as well as of his Majesty the King, rather than our own, which we willingly sacrifice to the general good, we must in all submission humbly

request the restoration of the King and the Parliament to their rights, the regulation of the government of the church, the abolition of the conventicles and of the undue liberty of religion, the punishment of the evil-minded, and the disbanding of the army."

This petition being neutralized by a second of an opposite tenor on the following day, the formation of the militia in London impeded, and the Presbyterian commanders removed; a number of citizens, young men, apprentices, officers, sailors, and watermen presented, on the 24th of July, a third representation, founded on a solemn league and covenant. They demanded that the army should not come any nearer, but that the King should come to London; that peace should be concluded on the conditions proposed by him, on the 12th of May, and that all things still in dispute should be speedily settled, in concert with the Scotch. These proposals and resolutions, they were resolved to defend with their lives and fortunes. (') The Parliament, now stripped of all dignity and independence, had no alternative but to yield to the power of the army or of the city. It chose the former, rejected the last-mentioned demands, and declared all persons who had joined in that petition to be traitors. The army, being informed of all these circumstances, had declared, on the 28th, that it would not suffer such disobedience of the city to the Parliament, and would free it from all violence. On the other hand, the citizens boasted that they would treat with the

same generosity that part of the Parliament which acceded to their views, and accordingly, on the 25th of July, the sheriffs and some members of the common council appeared before the House of Commons, with a petition that it would restore the independence of the London militia, and favor its speedy organization. Before any resolution could be taken, several thousand apprentices and others preferred a similar but much more violent petition; nay, they behaved in so riotous a manner that the seven Lords (to which number the whole Upper House was now reduced,) immediately granted their petition, but then fled through a back door, and escaped by water. The House of Commons, which did not wish to offend the army, most earnestly entreated the insolent petitioners to retire; but as their secret intention immediately to adjourn became known, the mob occupied all the doors; nay, the boldest entered the hall, forcibly took the Speaker, who was going to retire, back to his chair, made various demands, with loud cries, but especially the confirmation of what the Upper House had granted: the recall of the King to London, the return of the eleven Members of Parliament, the restoration of the militia to its old footing, and the abolition of all ordinances against the petitioners.

On the following day, when it was intended to reconsider what had been so hastily resolved, it appeared that the Speakers of the two Houses, the Earl of Manchester and Mr. Lenthal, with several Members, had

gone to the army ⁽⁸⁾ to accuse those who remained behind and the city, and to seek protection against violence. ⁽⁹⁾ Thus fourteen Lords, and as some affirmed, nearly 200 members of the House of Commons, by degrees, came to the army ; so that the latter could say, with some appearance of truth, that the true and complete Parliament was with it, and in London only disturbers of the peace and partizans. But the latter, supported by the citizens of London, had no inconsiderable power, and many persons believed that the balance would be on that side for which the King should decidedly declare. But, as he estimated his influence too high, and, as he had so often done, missed the right moment of concluding the negociations begun with him, affairs were speedily decided without his concurrence and to his disadvantage.

The House of Lords did not sit on the following days, and even on the 30th July only four Lords were present. The Lower House, on the contrary, chose a Speaker, recalled the eleven expelled Members, and received so many petitions of a directly opposite tendency respecting the measures to be adopted that many of them appeared to be drawn up merely in joke or insolence, to increase the confusion, and to prove that after such an expense of property and blood no real improvement had taken place, but that the old grievances still continued, under different names, aggravated and increased by new ones. From this state of suspense they were roused, on the 29th of

July, by a declaration of Fairfax, that he had ordered his army to march towards London, to restore the freedom of the Parliament. Being thus obliged to defend itself, it appointed a committee of safety, took measures for the defence of the city, and caused a justification of its conduct to be published throughout the whole kingdom : “ We require,” say they, “ the deliverance of the King, the independence of the Parliament on the army, the reception of the expelled Members, and the, return of those who have fled; the restoration of peace, the abolition of the burdensome taxes, exemption from billeting soldiers, and the disbanding of the army. From these resolutions, with the aid of God, we will never depart, for the sake of any earthly motive or advantage.”

At the same time the Parliament wrote to Fairfax that the riots of the apprentices (among whom, according to Hollis, there were also some Independents,) were by no means dangerous, and that order had been entirely restored by the exertions of the city magistrates. That the approach of the army, therefore, appeared to be unnecessary, injurious, and illegal : that if the general had any regard for the safety of the city and of the whole kingdom, as well as the undoubted right of Parliament, they called on him to obey this order. Instead of this, Fairfax and the army declared the Members of Parliament who remained in London to be traitors, and informed them that if they did not recal the resolutions they had

taken it would be at their own peril ; they would be arrested, and brought before a court-martial. While the convocation of the clergy at Westminster prayed for the sake of God and Christ that the dreadful danger and bloodshed might be prevented, the Parliament ordered that all its friends in London should be immediately armed, and the King come to the city without delay to conclude a convention.

Not deterred by these proceedings, Fairfax sent to the Parliament, on the 1st of August, the following demands of the army : " The time for the close of the present Parliament shall be definitively fixed, and in future (after the forms of election and representation have been new modelled) a Parliament shall be called every two years. That the Parliament should retain for ten years the direction of the army and the appointment of the chief officers of state ; that the new Peers should be removed, and a Commander-in-chief of the army appointed. The Episcopal Church should remain abolished ; but that at the same time all civil penalties for spiritual matters, and all compulsion to religious duties, or to the acceptance of the Covenant, should be abolished. That the King should be restored to his rights, if he did not resist these proposals ; that there should be a general pardon, far more comprehensive than formerly proposed by Parliament, extending, in certain cases, even to the King's party ; that monopolies and restraints on the freedom of trade, the taxes on com-

modities in general use among the poor, should be abolished, and the unequal burden of taxation remedied ; that the mode of paying the Clergy by tithes should be altered or abolished ; that the arrears of pay should be discharged, the public revenue be accounted for, &c. &c."

If the Parliament had granted and ordered at the right moment the reasonable portions of these proposals, it might have rejected with greater success much that was absurd, and especially have duly censured the manner in which the army had taken into its hands the affairs of state. The House of Commons, however, believed that it had gained a great advantage when the King declared, on the 3rd of August, that he had no share in the late disturbances, and would not make war upon the Parliament. While this declaration appeared to the King to be prudent and just it in fact availed the Parliament nothing, but almost entirely dissolved his connection with the army. The complaints made at the same time by the Scotch on the whole state of affairs, especially with respect to the King and the Church, appeared to be of more importance. They said that the King was improperly represented as the chief criminal, though between Kings and beggars there was no difference in the eyes of the law ; that under the name of universal toleration a Babel-like confusion was introduced ; that the pastoral office was intrusted to the dregs of the people ; that criminals

were defended by the sword ; that soldiers were arbitrarily quartered upon the citizens ; that a solemn Covenant was violated ; that it was intended to abolish the House of Lords, and to model the state in an unsuitable manner.

Fairfax, disregarding these remonstrances, issued a circumstantial declaration, on the same day, stating that he was bringing the army to London, with his reasons for so doing ; and the accuracy of his statement, as well as the propriety of his plans, was confirmed by nine Lords and 58 Members of the Lower House. They promised to live and die with him and the army, because it most laudably raised the Parliament from disgrace and contempt.⁽¹⁰⁾ The most conflicting opinions were entertained in London as to what was to be done under these circumstances ; and, according to the nature of the news received, a feverish excitement of hope or fear increased from day to day, nay from hour to hour. Some proposed to defend themselves to the last extremity to the utmost of their power, some to negotiate, and others to have recourse to entreaty. In compliance with the wishes of the first party, all tenable posts before the city had been fortified and provided with artillery ; but when Fairfax advanced, on the 1st of August, to Southwark, and promised to do no violence if the gates were voluntarily opened to him, the timid party prevailed, so that all the above points were hastily abandoned, and a declaration made that

the city trusted for protection and security, after God, to his Excellency. On the 6th of August, he entered London at the head of his victorious army, and received the congratulations of the city magistrates; he then took the two Speakers and the Members who had absented themselves to the Parliament House, replaced them in their chairs, and accepted the thanks and praises which they addressed to him. "The army," said Vane, "is come to the city, that the Parliament may be free and deliberate in security." A month's pay was accordingly given to it as a reward, and the following Thursday was appointed as a day of thanksgiving to God, for restoring the two Houses to their just privileges without the effusion of blood.

The real chiefs of the army were, however, not to be satisfied at the long run with such compliments; but required "All that has been resolved since the 26th of July shall be revoked, including the Association of the Londoners, and their arming, as well as the declaration for the King. The Members of Parliament who voted during the absence of the Speakers, and desired to bring on a quarrel with the army, shall not only lose their seats, but be called to account. Authors, printers, and other guilty persons, shall be proceeded against in like manner." Many, however, thought that the legality of these demands was so doubtful, and exposed the persons accused to such dangers, that they were rejected, on the 10th of

August, by 95 votes to 94, and a second time, on the 18th of August, by 87 to 84, on which, as on other occasions, it appeared that, notwithstanding the presence and power of the army, and the absence of many Presbyterians, the remaining Members of Parliament were resolved to make a more obstinate resistance, and were still equal in number to the Independents. The leaders of the army resolved to put an end to this state of things. On the 19th of August, they caused a new and threatening representation to be presented by Fairfax, and on the 20th occupied all the doors and avenues to the Parliament House. Cromwell and Ireton, supported by such powerful arguments, proved the propriety and wholesomeness of the above demands, and the Commons thought that much was gained by the addition that no legal enquiry or punishment should take place on account of the resolutions which were revoked. Five Lords, who constituted the whole of the Upper House, would not think of resisting the violence exercised towards them, yet the Parliament was henceforward designated by the conquerors a free Parliament! Even the journeymen and apprentices, who were so bold on the 26th of July, were now so intimidated that they presented an address of congratulation to Fairfax, to which he did not disdain to make a very obliging reply.

The Presbyterians, who had been expelled or removed under all kinds of pretexts, and least of all

those who were still predominant in Scotland, did not show so much compliance and patience ; they uttered the loudest complaints against the political and religious principles as well as against the whole conduct of their adversaries. " That the Parliament," exclaims Baillie, " did no more to prevent the capture of the King, the approach of the army, and the expulsion of the eleven Members, is an almost unparalleled instance, if not of treachery, at least of childish impudence and base cowardice." " The wisest of men," says Hollis, " know what an evil it is when servants ride on horseback, and princes go on foot as servants : an evil which now exists in our unhappy kingdom. The meanest men, the lowest and basest of the whole people, have got the power into their hands, trampled the crown under foot, mocked and ill-treated the Parliament, annihilated the laws, destroyed or oppressed the nobility and gentry of the kingdom, broken all the bonds of religion, conscience, duty, faith, honesty, and good morals, and laid aside all fear of God and man : they now rule over all persons and property, from the King on the throne to the beggar in the hut ; their will is their law, power their right, and the attainment of their wild, senseless, and fanatic caprices, the foundation of a Babel of confusion, is the object of all their actions. At first they were silent and behaved with modesty ; but by degrees, partly in consequence of the supineness of others, their activity and presumption increased,

and they continually urged extreme measures. As soon as what had been promised and sworn to no longer suited them, a pretended inspiration or a new light suddenly gave them a welcome absolution from it, and they did precisely the contrary, merely from tenderness of conscience." "People rejoice (say others) at having abolished the Book of Common Prayer, the representations of the Trinity, the bishops, saints' days, and ceremonies; whereas, many now reject the whole of the Scriptures and the Trinity, all Priests, all Sundays and holidays, all learning, science, principles, and faith; and, under the pretext of universal toleration, introduce a general disorder, the dissolution of religion and of morals."

The victorious party was not indifferent to expressions of this nature, as is manifest, by their passing the most rigorous laws for the censorship of the press, closing the theatres, and arresting actors, who, notwithstanding the prohibition, performed elsewhere. The nature of their position with respect to the King and to the Scotch was of greater importance. The King's ideas respecting the parties, his hopes, as well as the apprehensions and counsels of his friends, appear in the still-existing correspondence, from which we extract the following particulars: "Jermin, Culpepper, Ashburnham, and others affirmed that the Episcopal constitution was neither absolutely unalterable, nor did it include the whole of religion. The King must make satisfactory con-

cessions in this respect, as he has already done in Scotland. Mere denying and producing difficulties, without stating any decided truly practical remedy, leads to nothing; nay, any means, any firm resolution, is better than this death-like silence, which, without a miracle, leaves no breath of hope. The Presbyterians, it is true, are disinclined to royalty, but much less so than the Independents, and to give up the bishops is not a renunciation of the crown. The King, after all that he has done for the former, is not bound to anything further; and if it is an error not to consider the Episcopal system as the only one instituted by God, we are at least in a numerous company, as perhaps not six Protestants are of a different opinion. No Episcopalian has ventured to defend that uncharitable opinion at Uxbridge, and the question is, as it was before in Scotland, whether your Majesty chuses to be a King of the Presbyterians, or no King at all: that you will be ruined if you persevere in this demand, is the unanimous opinion of Messieurs de Believre and Montreuil, of Cardinal Mazarin, and of the Queens of France and England, of all your servants in England, and in fact of every sensible man to whom we have spoken."

Charles replied, "If the few persons whom I can expect to encourage me in my resolution accuse me of ruining my crown and family by obstinacy, no pleasure is left to me in any one thing." In another letter, he says, "All my best friends accuse me of such

inexorable and ruinous self-will, as if I were wholly alone in my opinion, as if I were quite ignorant in the two main-springs of my conduct, namely conscience and policy ; but am I then quite alone because many have been frightened from this conviction, or do not venture to express it ? And who are those that condemn me, but such as consider courage and outward honesty as conscience, or who were never truly attached to the English Church. I should blame the two Queens and the Cardinal if they did not decide against me, for they are falsely informed by pretended Protestants, and do not understand that Presbyterianism necessarily brings the greatest misfortunes with it. Therefore make yourselves better acquainted, and undeceive those who are misinformed. Since the days of Solomon there has been no wiser man than he who said, ‘No bishop, no King.’ By the adoption of Presbyterianism and the Covenant the oath of supremacy is lost ; and I might as well recognise the mass and the Pope. The question does not relate to detached points of doctrine, but is whether the King shall lose all power in ecclesiastical affairs, and give it up to the Parliament. In the same manner, my adversaries would establish the principle that rebellion is lawful, and the supreme power in the people, to whom Kings are accountable, and from whom they are bound to take reproofs. I cannot give way, when I do not see the reasons for doing it ; I will not despair, as my cause is good.

If I were anywhere in security, Scotland and England would quarrel, and I should have an opportunity of joining the weaker party, or forming a new one; for people must then be sensible that without my restoration no real peace is possible." Queen Henrietta, in her answers, earnestly exhorts her husband not to yield too much with respect to religion and the army; nay, she even wishes that his proposals may be refused in London. "After so many sufferings," she writes, "it is necessary to end with honor: if you remain firm and resolute, we shall one day or other be again masters."

These views and hopes had not, however, hindered the King from giving, on the 18th of May, 1647, the following answers to proposals from Parliament: "I will give up the militia for ten years, and recognize the Presbyterian Assembly of the Church for three years. Afterwards, clergymen of both parties shall deliberate, and decide what is best to be done. I am ready to have my doubts respecting the Covenant resolved by persons versed in such matters; to grant the demands of the city of London; and to return thither. All the laws against the Catholics shall be confirmed, and a reciprocal general pardon be proclaimed."

It is inconceivable how the King, consistently with his conviction, which he declared to be unalterable, could make these proposals; how he could reconcile them with other promises, or expect in this manner

to gain or even to silence the different parties. The bishops and the Catholics were sacrificed; the Presbyterians, instead of the unlimited sovereignty which they required, received only a temporary preponderance; and no notice whatever was taken of the demands of the Independents. This undecided, insincere conduct did not gain the King any party, but offended all. Before, however, the deliberations which had been commenced in Parliament could be brought to a conclusion, he was carried off, as we have before related, by the Independents, and their dispute with the Presbyterians rose to open hostility. Far from fearing that he should be employed by the parties only as a temporary resource, and then (being exposed to their unbridled passions,) be oppressed and ruined, the King was rejoiced at the new quarrel, and considered it as a manifest proof that he was absolutely necessary, and would sooner or later recover his power.

Cromwell and his party knew how to turn this temper of the King to their advantage; and to confirm him in it, he told Berkeley, a negociator of Charles's, that he had seen the King, at the affecting interview with his children, at Causham, ⁽¹¹⁾ and added, weeping, "I was quite mistaken in the King, and now consider him as the most honest and conscientious man in the three kingdoms. May the goodness of God be dispensed to me, in proportion to the sincerity of my intentions to the King. We Independents owe him the

greatest thanks for not accepting the proposals of the Parliament, which would have been so fatal to us." On another occasion, Cromwell and Ireton protested, "We will obtain for the King everything that he can wish ; for without his restoration nobody's life or property will be safe. Our conscience compels us and the army to act thus : for we do not hate either the King or the monarchical government. Let him only remain quiet, and trust to us. We must be the greatest rogues and traitors, if we did not keep what we have promised ; for the King, by not declaring against us, gives us a very great advantage over our enemies. We will purify the Parliament over and over again, till it agrees to our plans for the King."

We will not determine how far Cromwell and Ireton acted with hypocrisy at this moment : their primary object certainly was their own advantage, and victory over their enemies ; but, on the other hand, many of the King's most faithful friends affirmed that his interest was now hand in hand with that of the Independents, and he ought now to come to a speedy conclusion, before circumstances changed and the leaders had altered their minds. All this, however, only deluded Charles more and more with respect to his own importance, and he believed he should be certain of prescribing terms, as both the Parliament and the Scotch applied to him with great earnestness. On this account, to the astonishment of his friends, he received Ireton and some others with harsh and bitter

words, and said to them, "You are undone unless I preserve you;" (¹²) but to which Ireton replied "You think to be the mediator between us and the Parliament; we, on the contrary, think to mediate between you and the Parliament."

At the time when the difference between the Parliament and the army was at its height, Charles's friends in vain besought him not to waste his time and offend both parties, in a notion that he was in the best position; and when he was at length induced to write a favourable letter to the commanders, the affair was already decided, and this step, which had been extorted from him, produced no effect. "The King," said Ireton on this subject, "gave us words; and we paid him in the same coin, as soon as we perceived that he did not intend the real good of the people, but only hoped to recover by some dissensions what he had lost in war. At the time when he pretended that he would immediately come to an agreement with us, he was negotiating for an arrangement with our enemies." In like manner, Cromwell declared, "The King is a man of much sense and understanding, but so dissembling and false that he cannot be trusted."

On the 7th of September, 1647, the Parliament sent to the King proposals for peace. He answered that they were like the former ones, against which he had already raised his doubts and objections; (¹³) he therefore wished the more reasonable conditions of

the army to be taken for the basis, and also deputies from it to be admitted to take a part in the negotiations. This proposal, which departed from all legal forms, displeased not only the determined advocates of the unlimited rights of the Parliament, but also the army; partly because it thought of taking the sole management of the matter into its own hands, and partly because it entertained ideas and views essentially different from what it had formerly expressed. These new differences became more and more apparent in the course of October and November, 1647, for the Parliament declared the King *must* confirm what the two Houses propose to him. The Scotch, on the other hand, required that negotiations should be carried on with Charles personally, and that he should be delivered out of the hands of the army. Lastly, a very numerous party in the army presented to Fairfax a representation, in which, after the most pious and humble religious phrases, they say, "The law of nature and nations is the foundation of our demands. All forms are but shadows, and every one may be abolished, when they no longer guarantee the safety of the people. Now, when confusion, ruin, and slavery are at the door, this must be duly considered and weighed." With allusions not to be misunderstood to the total uselessness of the King and the Lords, they demanded the election of representatives according to the population; the dissolution of the present Parliament; in future a Parliament every two years; equal laws for all, and a decla-

ration that henceforth the power of representative assemblies is subordinate only to the electors.

Thus under Rainsborough, the party of the Levellers, Pride, and others, shewed itself more and more. Many writers comprehended under this name all the whims and follies which entirely arbitrary personal opinion produced at a time, which disdained all rule and general laws, and in such various ways necessarily fell into anarchy and led to despotism. Thus for instance, Grignon writes, the "Levellers are a sect, or rather a faction, hostile not only to royalty, but to every kind of rank and command; and who would make men as equal with respect to wealth and property, as to the magistracy or offices." (¹⁴) On the other hand, the Levellers said "We had nothing in view but the general good, which had hitherto been sacrificed by all parties: by the King, in order that he might reign with absolute sway; by the Parliament, to make its power last for ever; by the Generals and Officers out of ambition, or for the sake of rewards. We also complain, with reason, that the weak are punished for what is tolerated in the powerful; that capital punishment is inflicted for inconsiderable crimes; that people are compelled to military service; and that evils in the law which have often been censured are retained, or even declared sacred. We, therefore, are the only persons who, according to the highest lawgiver, reason, proceed consistently to our object: we are true republicans. Henceforth, law

shall govern, not men ; and compulsion shall cease in the church and state. The people exercise their sovereignty through representatives ; but if such noble objects are longer prevented in any manner, or by any person whatever, the oppressed must at length arise, take the matter into their own hands, and sacrifice their lives rather than their liberty."

By setting up these principles, the victorious and hitherto united army, as the Parliament had done before, fell into two hostile parties : for such a democratic division of all power and dissolution of all obedience was extremely disagreeable to Cromwell and his adherents ; and on the other hand, the Levellers, with keen penetration, saw what unbounded ambition was concealed behind the hypocritical humility of their General. They endeavoured especially to cast suspicion on him on account of his connection with the King ; nay, they called him in plain terms a liar and a traitor. Many of Charles's adherents, and probably he himself, were rejoiced at this state of things ; for they thought that the royal power would arise with renewed strength from the general disorder. None would see that the violent party leaders now no longer considered the King as a means to obtain the victory, but merely as an obstacle that was to be removed ; at whose expense their reciprocal demands might be compromised. The agitators in the army said, without reserve, "He is no better than a dead dog."

Though the King had latterly been treated with more respect at Hampton Court, had collected a kind of court about him, and even allowed the wives of Cromwell and Ireton to be presented to him, he was weary of his imprisonment, and often thought of flight, though without knowing how it should be contrived, or whither it should be directed. In this frame of mind, he received, at the instance of Cromwell, warnings that there was a design against his life ; by which a final resolution, if not caused, was probably hastened, nay, precipitated, without taking due precaution. On the 11th of November, 1647, he secretly left Hampton Court; and, as flight to a foreign country was impossible, and seemed also to imply an abandonment of all his claims, he determined, after long hesitation, for the Isle of Wight. When Hammond, the governor of that island, was informed of it by Ashburnham and Berkeley, he was very much alarmed, justly feeling in what an embarrassing situation he would be placed between the King, the Parliament, the army, and his relations, (for he was a son-in-law of Hampden, and a cousin of Cromwell;) he, however, waited upon the King, and promised to behave to him like a man of honor. Charles felt how indefinite and equivocal such an assurance was at that time, and that he had only to expect a change of captivity ; however, it was equally impossible to return or to conceal himself.

The King, upon his flight, wrote to the Parliament, " Liberty is now, more than ever, the desire of all men ; therefore, Kings ought less to be kept in captivity than other men. I have borne it as long as I could hope thereby to promote peace. I now, for the sake of my own safety and the general good, withdraw for a time, from the public view, both of friends and enemies. I will, however, always exert myself for peace ; and in such a manner, that it may be established, as far as possible, without bloodshed. This object is attainable, if regard is paid to all parties : the Presbyterians and Independents, the army, the Scotch, and the Royalists. The moment that you will hear me with freedom, safety, and honor, I will instantly break through the cloud of retirement, and show myself ready to be the father of the country."

Immediately on the receipt of this letter, the House of Commons declared that it was treason to harbour the King's person, or to favor his flight. But already, on the following day, the whole affair was made known by a report from Hammond, who wrote to the Earl of Manchester, Speaker of the House of Lords, to inform him that the King, from an apprehension of his life being in danger at Hampton Court, was come to the Isle of Wight, to put himself under his protection. In truth, the King was now more than ever cut off from all his friends, and delivered up into the power of Cromwell ; for though Hammond recog-

nized the Parliament alone as his legal superiors, Cromwell soon found means to change his opinion, and wrote to him, among other things: "There are cases when resistance appears to be lawful, and '*Salus populi suprema lex*' is a sound principle. We are in danger of losing the whole fruit of the war, and returning to the old, nay, even to a worse system; and this in contradiction to all declarations, leagues, and covenants. The army is a lawful power, called by God, for certain reasons and objects, to fight against the King; and as it is an authority for these objects, no other authority can be opposed to it. To a person who cannot convince himself it is very pleasing not to decide himself, but to have patience, and trust and follow others; this will relieve you from all the anxiety and care which, as you say, you feel respecting the conduct of others." These and similar representations had such an effect upon Hammond, that after a short-lived civility, he treated the King very harshly, and prevented all attempts at another flight. ⁽¹⁵⁾

Thus Cromwell had removed the King equally out of the reach of his friends and of his enemies; and had contrived, besides, to throw an appearance of sincere zeal in the service over his treacherous plans; ⁽¹⁶⁾ and the Parliament was, no more than Charles, an object of serious apprehension to him. But the division in the army became every day more dangerous, as well as the influence of the principles which destroyed all obedience, and of the pretensions which grew more

and more immoderate and absurd. "It is treason," exclaimed the discontented, "to disregard our remonstrances. The Parliament, which is a party in this matter, cannot decide in the last instance; but we appeal to the judgment of God, and of the good people. If the majority of the Parliament will not do us justice, we must separate the honest Members from the others; and the more so, as all our demands tend to the general good, and do not proceed from interested motives."

At a grand review, ordered by Fairfax and Cromwell, some regiments, after deposing their officers, appeared of their own accord, having in their hats papers, with the motto, "The liberty of the people, and the rights of the soldiers!" Gentle and moderate remonstrances, made by Fairfax on the impropriety of this conduct, were answered with such seditious cries that all the authority and influence of the Generals appeared to be destroyed. At this moment of extreme and excessive danger, Cromwell stepped forward, and called, "Take the papers from your hats;" but the soldiers of Lilburne's regiment refused, repeating the same cries. Manfully opposing this boldness, Cromwell dragged fourteen of the most desperate mutineers out of the ranks, caused three of them to be sentenced to death upon the spot, one to be hanged, and the others to be sent to prison for subsequent inquiry and punishment. From that day Cromwell was master as well of the King and the

Parliament, as Commander-in-chief of the army; yet after this action he contrived, with hypocritical art, to return to his ordinary course, in order not to lose the means of attaining his object; and, for instance, together with Ireton, made excessively long prayers with the soldiers. "Never," say the reports, "did more harmonious music rise to the Almighty;" and precisely at this time the cool tyrannical fanaticism of Cromwell was reconciled with the unbridled and anarchical fanaticism of his opponents: the King was chosen as the victim of this renewed league.

"Cromwell," say his advocates, "was sincerely resolved to save the King, and to restore him on reasonable terms; when a letter fell into his hands, in which Charles wrote to the Queen not be alarmed at his granting so much to Cromwell and his friends: he would know, when the time came, how to treat those rascals, and send them a halter instead of a ribbon of the garter." Though it cannot be shown beyond all doubt that a letter commenced in those terms was really intercepted, yet proofs of the most secret sentiments of Charles certainly came into the hands of his most violent and bitter adversaries. From that moment they considered his insincerity and faithlessness as incurable, and resolved, in a council of war, to try him capitally as a criminal. This turn of things, however, was kept a secret for the present; and the Parliament was again put forward to bring matters to the desired point.

On the 11th of December, 1647, the Parliament sent to the King four bills, for his sanction, of the following tenor: 1. The militia shall be for twenty years under the sole direction of the Parliament. 2. All oaths, declarations, and proclamations against the Parliament shall be revoked, and all the laws it has passed sanctioned. 3. All titles and honors granted since the 20th of May, 1642, shall be null and void. 4. The Parliament has the right to meet and to adjourn as it shall think fit. In these demands it was expressly declared, or directly implied, that the King should abolish the whole constitution of the Church, sacrifice the Church property, take on himself the blame of the war, and abandon his friends. But, before he could make any objection to these points, the Scotch commissioners, who had not been consulted in drawing up these laws, warmly opposed them, and begged the King not to confirm them, as they were equally prejudicial to the Church and State, and incompatible with former plans, obligations, and agreements. They explained at length the grounds of this assertion, demanded a new personal negotiation with the King, and concluded by saying, "That if the Scotch could by any means have foreseen that, contrary to the express promise of the English Parliament, any wrong or violence would have been done to the King, and an attack made upon his rights, all the enticements and threats in the world should never have induced them to sepa-

rate from their King." The English Parliament, trusting to its superior power, paid no attention to this Scotch declaration; for which reason the commissioners, in their anger, acting with promptitude, concluded, on the 26th of December, a treaty with Charles of the following tenor: "The King accepts the Covenant, and confirms the Presbyterian government of the Church, and the resolution of the Assembly of Divines at Westminster, for three years. After that, the clergy and Parliament will deliberate and determine what further measures shall be adopted. Effectual means shall be employed to suppress all other sects, and to disband the army. The King shall be restored to his rights, summon a new Parliament, and the legislation be completed in the usual form." After the conclusion of this treaty, the King declared to the English Parliament, on the 28th of December, that he could not possibly sanction single laws which entirely destroyed his power, till a treaty was drawn up, comprising all the points that must necessarily be discussed, and every doubt removed by personal negotiation.

Very different opinions have been given on the contents of the four bills and of the Scotch treaty. At all events the Parliament endeavoured, in the former, so to avail themselves of the right of the conquerors, that a due balance, or co-operation of the several powers of the state, was abolished. Besides, the leading persons were by no means disposed to be

satisfied with the proposed measures, but meant to employ them to open a way to greater pretensions. The Scotch proposals were more just towards the King; but there was little hope of their being carried into effect, and if they manifest less rage for political innovation their religious intolerance is the more striking.

When the debates on the King's answer commenced in Parliament, the secret wishes and objects of the revolutionary zealots showed themselves for the first time without any reserve. "Bedlam," said Thomas Wroth, "is for lunatics Tophet (Hell) for Kings; but our Kings have lately conducted themselves in such a manner as if they were destined only for the mad-house. I therefore propose three things: first, to keep the King in strict confinement in the interior of the kingdom; secondly, to bring an act of impeachment against him; thirdly, to set him aside, and settle the affairs of the kingdom without him. It is the same to me what form of government is established, if it is only without Kings and devils." Ireton, in the name of many thousand good men who had risked their lives against the enemy, affirmed that the King, in refusing his sanction to the four bills, had denied protection and security to his people; therefore nobody was bound any longer to obey him, and the affairs of the kingdom might be settled without him. "All hope," said he, "that, after such long patience, you will now display resolu-

tion, and not sacrifice the brave men who have declared for the Parliament beyond all possibility of retreat. On their part they will never abandon it, if it does not abandon them." Cromwell, having upon this delivered a panegyric on the bravery, good sentiments, and piety of the army, continued: "People now expect that the Parliament will take the government into its own hands ; and no longer expect anything from an obstinate man, whose heart God has hardened. Do not induce the army, which is ready to defend you, as it has hitherto done, to believe that it is betrayed and delivered up by you to the revenge and malice of an irreconcilable enemy, whom it has subdued for your advantage. Let it not seek in its despair any other means of safety than in attachment to you ; for how destructive such a resolution would be to you, I tremble to think, and leave you to consider."

As he spoke these last words, Cromwell laid his hand upon his sword ; which significant intimation made such an impression that the majority resolved that the King had replied with an absolute negative to the four bills which alone could save the kingdom ; wherefore they ought to lose no time in settling the government in the best manner possible ; that henceforward no proposal should be made to the King, or accepted from him ; and whoever violated this command should be treated as a traitor. When the Upper House hesitated to confirm this, which

was called the law of non-address, petitions and popular tumults were got up, and, at length, at the instance of the Lower House, a detachment of the army was sent to Whitehall. The Lords, intimidated by these measures, passed the bill on the 15th of January, 1648.

The republicans loudly proclaimed their joy at this victory, and said, the King has broken his oath, has appealed to the sword, and done away with the duty of allegiance ; royalty is good for nothing either in England or elsewhere, as might be evidently proved by passages of Scripture. Cromwell, too, confessed that the honours of this world had once so dazzled him that he had not clearly discerned the work of the Lord ; but now he was resolved to be humble, and to pray with the saints that God would pardon him for having sought his own advantage.

Though the Parliament had a declaration printed, in which it attempted to justify its conduct, and brought numberless accusations against the King, far more interest was everywhere manifested in his favour than had been expected. It was manifestly an untruth that the King had absolutely rejected the proposals of the Parliament, and that the breaking off of all negotiations was necessary for the security of the kingdom. The King too succeeded in publishing a justification of his conduct, in which he says, " My conscience forbade me to assent to the four bills without any alteration, for the people would

have been thereby exposed for ever, with respect to the management of the army and the taxes, to the arbitrary and unlimited power of the Parliament. Besides, I have already granted more than was formerly required or thought necessary and useful, and am rather inclined to reproach myself on that account than for obstinate refusal. Should it be my hard lot to fall together with the freedom of this kingdom, I have no reason to blush for myself, but to deplore the future misery of my people."

Two days after the resolution not to negotiate, the Scotch Commissioners left London in great anger, and numerous petitions against the conduct of the Parliament were received from many places ; nay, in several counties insurrections broke out in favour of the King. "Those," exclaims one writer, "who formerly fought with such great courage for the Parliament, appear now to have lost their courage and the sense of their duty." The truth, however, was, that sober-minded persons, now that circumstances were changed, returned to a sense of their real duty, and manifested great courage in opposing the prevailing errors. Judge Jenkins plainly told the Parliament that it did the King wrong, for that justice and law could not exist without the King ; for which speech he was fined £1000. At the same, time several violent satires were published against the Parliament : one, for instance, under the title of the "New Testament of our Masters and Redeemers in the Lower House,"

which was ordered to be burnt by the hangman ; while the censorship was rendered more strict, presses were broken, authors and printers imprisoned, &c.

More from political than from puritanical motives, a new storm was raised at this time against the actors. The law of the 19th of February, 1648, says, "they are considered and declared to be rogues ; all theatres, without regard to royal patents, shall be closed and pulled down, and those who continue to act shall be whipped and imprisoned, and the spectators punished in some other manner. An actor who is found to violate this law for the second time, shall be declared an incorrigible rogue, and treated accordingly."

Though two hundred and fifty Members (¹⁷) of the Lower House were wanting, the remainder paid no attention to their absence, but proceeded with the greater boldness, and passed a law that the property of the condemned friends of the King should be confiscated, and one half given to the State and the other to the informer. From that time we find in the Journals of the Commons an incredible number of the heaviest fines. Mr. St. John is said to have gained £40,000 only for obtaining pardons. (¹⁸).

Measures of such a nature were more calculated to produce a new crisis than to prevent it: on which account the constitution of the Church and the irritation of the offended Scotch were doubly important. In the autumn of 1646, the English Parliament had

passed several laws by which the Episcopal Church was entirely abolished, its property sequestrated, and partly sold to defray the expenses of the war and to defray debts. Though the bishops and the form of Church government were not popular, yet such a bold encroachment upon property, as well as the deposition and expulsion of so many persons, for the most part without any indemnity, excited warm compassion in many persons. Besides, the Presbyterian institutions were carried into effect only in very small portions of England, and for a short time, in consequence of the want of funds and of capable clergymen, and no less so by the influence of the Episcopalians and Independents. Nay, in October, 1647, the city of London presented a petition, stating that several hundred towns and villages had no clergymen at all; and therefore the petitioners prayed that all well-qualified men might not be rashly kept back from the important office of giving religious instruction. These circumstances ought to have excited the highest anger of the Scotch clergy, whose views in all essential points were defeated, and should have inclined them to a contest with the party now predominant in England; but a great number of them had meantime been changed from friends of a temperate monarchy into zealous republicans; others thought it unbecoming to have any connection with Royalists and Episcopalians, while others again looked upon the Scotch Parliament as

the first and most dangerous enemy of their own unlimited religious pretensions. Thus there were at this time, properly speaking, three parties in Scotland ; the smallest, wished for an unconditional, the larger, at the head of which was the Duke of Hamilton, for a conditional restoration of the King ; the third, consisting of the majority of the clergy and of the people, and of part of the nobility under the Marquis of Argyle, thought to set the King entirely aside, and to introduce the republican constitution in Church and State.

In spite of violent opposition, Hamilton and his friends succeeded, on the 26th of April, 1648, in carrying a resolution in the Scotch Parliament that the following demands should be laid before that of England : The King shall come with liberty, safety, and honor to London, and the negociations with him shall be renewed ; the expelled Members shall return to the House ; the Covenant shall remain in full force ; and the sects, including the Independents, shall be extirpated ; the army of Fairfax shall be disbanded ; and henceforth no soldiers enlisted but such as have sworn to the Covenant.

Before these demands were received the contest between the parties in London had broken out afresh. The journeymen, and a number of others of the King's friends, seized, on Sunday, the 12th of April, some depots of arms, plundered several houses, and repulsed the guards of the Lord Mayor. The army and the Parliament, which here unexpectedly met

with new enemies, acted on this occasion together to put them down ; and having succeeded, ordered public thanksgivings for the averting of such great danger, and £1000 was granted the soldiers as a recompense. However, as at that time news was received of great movements in several parts of the kingdom, and of the Scotch preparations for war, and many Independents were engaged out of London, the Presbyterian Members of the House of Commons took fresh courage, and resolved, on the 28th of April, by a majority of 165 to 99, that the constitution, consisting of Kings, Lords, and Commons, should not be changed, and that measures should be adopted for the safety of London. A simple chronological narrative of events will show the most clearly how from this day till September, 1648, views and measures, fear and hope, fluctuated and changed according to the most various events.

On the 6th of May, after the receipt of the Scotch demands, the Parliament resolved that the constitution and the Covenant should be maintained, negotiations opened with the King, and measures of defence taken against the Scotch. On the 24th of May it was resolved, by 169 to 86, that, as soon as the King confirmed the Presbyterian government of the Church for three years, gave up the militia for ten years, and recalled the ordinances which he had issued against the Parliament, an endeavour should be made to come to an agreement upon all

other points. On the 28th of May, news was received that part of the fleet had mutinied ; on the 29th, that an attempt of the King to fly had failed ; on the 2nd of June, that Fairfax had put down the Royalist insurrection in Kent, and that Cromwell, at the invitation of Argyle and his party, had begun his march against Scotland. On the 6th and 8th of June, the expelled Members of the Upper and Lower Houses, as well as the city officers, were restored to their seats and posts ; and on the 30th June the law prohibiting negotiations with the King was repealed in the Upper House ; on the 12th of July news was received of the hostile entrance of the Scotch into the kingdom, with a communication of the grievances which they had alledged. The chief of these were, the expulsion of the Presbyterian Members, the oppression of the Parliament and of the city of London by the army ; the favour shown to the sects, the breach of the Covenant, the neglect of the Scotch, the ill-treatment of the King, &c. All this tyranny, they said, must be put an end to, by which all divine and human laws were violated, and the people plunged into wretchedness and slavery.

On the 14th and 20th of July the Scotch and their English friends were declared to be traitors ; and, on the other hand, it was resolved, on the 28th of July, by a majority of 71 to 64, to negotiate with the King, before he accepted the above three propositions.

Though we might gladly rejoice at this gradual victory of the Parliament over the army, and of legal forms over the power of the sword, as well as the return to moderate political views ; on the other side, the intolerance of the Presbyterians in religious matters is so decided, that there seems to be nothing left but an unhappy choice between Scylla and Charybdis. A law by which Christmas, Easter, Whitsuntide, and other holidays, were abolished, because they were celebrated in a superstitious manner, was no more carried into effect than another that schoolboys, apprentices, servants, &c. should, instead of keeping these holidays, amuse themselves on every second Tuesday in the month. Nor have we any reason to wonder that the victorious Presbyterians again ordered the adoption of all their doctrines and forms ; but a law of the 2nd May, 1648, against heresies so exceeds all measure that it could not fail to produce a violent reaction on the part of the Independents. This law divides errors and heresies into two principal heads : “ Whoever affirms that all men are predestined to salvation ; that man by nature has a free-will, and may of himself turn to God ; that there is a purgatory ; that the observance of the Sabbath is improper ; that man is not obliged to believe more than his reason can comprehend, &c., shall be imprisoned till he will give security that he will renounce his errors. He who

denies the Trinity, or the two-fold nature of Christ, the sinlessness of Christ's human nature, or does not acknowledge the canonical books of Scripture, shall be imprisoned, even if he recants ; and if he does not recant, shall be executed."

This tyranny over men's consciences was as unwise as it was unjust and unchristian : for the parties in Scotland were so opposed to each other that a speedy and unanimous co-operation could not possibly be expected. Thus the Parliament at Edinburgh complained of the disobedience of the clergy, (¹⁹) who endeavoured to lay a heavy yoke on the consciences of their fellow-citizens, did not obey the laws, and forgot that the Parliament is the highest legislative authority, especially with respect to peace and war, and nobody ought to be deterred by them from the duty to which he was bound. On the other hand, the Assembly published a declaration against the Scotch army, and endeavoured to prove the illegality and hostile nature of every union for the King ; nay, the Earl of Loudoun, who had chiefly promoted this union, and had therefore received various rewards from the King, unexpectedly turned round ; perhaps alarmed by the popular tumults, in which the women in Edinburgh again acted a part, and pelted the friends of the King with stones. The following passages from the reports of the French legation throw a light on these affairs :

"I believe," writes Montreuil, "that neither the Presbyterians nor the Independents seriously intend to save the King whom they have so deeply offended (²⁰). The Scotch clergy preach against the King, and curse all those who would unite holy soldiers of their army with malefactors and criminals who have served the King. Meantime they excommunicate the Catholics, and compel them to leave Scotland. The Scotch fear that, if the Independents overcome them, the Episcopal Church will be restored. The clergy too preach against a war in favor of the King, and say that now the madman is imprisoned and bound, care must be taken not to restore him to liberty, and put the sword into his hands. Remonstrances against the war come from various parts of Scotland, and prove that the people care very little for the King. The petty nobility would rather ruin the lords, as well as the King. The declaration of the Scotch clergy against him is beyond measure strong. They resolved to depose the preacher Rumsey, the only one who refused to read the declaration in his church, and still ventures to speak in favor of his Prince; but the women of his congregation were bolder than the Parliament. They followed him into the assembly where he was to be deposed, reproached the leading members, in very offensive expressions, with their bad lives, and added, 'If you dare to do the least harm to our dear

preacher, or to any one of our old clergy, we will find means to drive you all out of the country, as we (the women) got rid of the bishops a few years ago.' The Presbyterians and Independents make use of the King and the Prince of Wales only for the purpose of ruining their opponents. They have no affection for either. Even a complete triumph of the Presbyterians over the Independents would have no other result than that the King would remain in prison till he had agreed to all their former proposals. Here in Scotland there is neither unity of purpose, nor enthusiasm for the war. Hamilton and Argyle remain enemies as before. The ecclesiastical commission sent orders to the clergy to preach against the raising of troops, on pain of being deposed; the Parliament, on the contrary, ordered that whoever opposed it should be imprisoned and his property confiscated. Hereupon the clergy ordered two great fast days, for the purpose of putting up solemn prayers to God, to inspire the Ministers with other plans, or to defeat those which they now entertained: they resolved that every person of their profession who followed the army should be excommunicated and lose his income."

The Presbyterian clergy of the diocese of London wrote in much more Christian and moderate terms to Fairfax, against the conduct of the army and the treatment of the King. "The army," they say, "is destined to protect and obey, not to overthrow,

the constitution. You cannot prove, from the success of your plan, that it is just and pleasing to God : on the contrary, it is one of the severest punishments of the wicked that he sometimes permits their evil plans to take their free course. In things which the word of God forbids, success proves nothing, and the Spirit does not excite to anything contrary to the commands of Scripture : actions are to be tried and regulated according to its dictates, and *least of all can necessity be appealed to, for there is no necessity which compels to sin.*"

Let us be permitted, on this occasion, again to make some general remarks. In different ages, and on different occasions, *right*, *utility*, and *necessity* have been set up as the main springs and foundations of human conduct. *Right* is seldom so wholly on *one* side as is taken for granted, and there is here too a rejection of the higher, truly vital, and conciliatory principle, and Christian forbearance ; there is a letter which killeth ; but, on the other hand, the idea of right elevates the mind from the region of force into the sphere of intellectual freedom, and from self-interested opinion to a convincing perception of the truth. 'The *useful* is still more difficult to discover than the right, because it does not include within itself the more exalted object of exertion, but appears only as a means to attain it. Should examination, which is generally dispensed with, but which is in truth indispensable, show that the object, for the attainment of which certain means

appear useful, is itself condemnable, the pretended utility must be designated as injurious, and deserving condemnation. Lastly, the doctrine of *necessity* seems to put an end, in a victorious and satisfactory manner, to all indecision and doubt; but in truth it leads only to vague self-will and blind chance. Destitute of all knowledge and perception of truth, individual facts are set up as idols; the bold are authorized to venture on what is most contrary to right, and the base to submit to it. The power of the moment which leads to victory then passes at once as the sanction of right for centuries. Human liberty is not submitted in humility to a divine decree; but sacrificed to the fickle discretion of ignorant masses. Lastly, the energetic will, which abides firmly by what is right, even to martyrdom, is stigmatized as error and folly, because, according to this, the only saving doctrine, there is neither GOOD nor EVIL, but only NECESSITY, and the idea of guilt or innocence has no meaning, applied either to individuals or to whole nations. The partial obstinate adherence to the killing letter of right soon causes us to lose sight also of its sacred ground, so that we seek for relief only in the domain of what is called utility. When manifold attempts here have failed, we plunge with desperate devotedness into the doctrine of necessity, and acquit ourselves for not resisting it. But this necessity seizes without mercy her own adherents, and casts them contemptuously aside, till, after years of misery, the conviction arises

out of the universal confusion of facts and principles, that human society cannot come into a healthy state till RIGHT, UTILITY, and NECESSITY are not considered as three distinct hostile powers, but contemplated from a higher point of view, and reconciled with each other. Then what is necessary, (or rather the divine decree,) will be, at the same time, the right, and the right at once the useful and the necessary.

At that time the question of right had been long thrown into the background. In England the most conflicting opinions prevailed respecting what was truly useful; and the parties, like the Gironde and the Mountain in France, in fact merely considered what was necessary for their own safety. Clarendon says, "The Presbyterians and Independents were equally far from being restrained by justice and conscience; but the latter only did what positively led to their object, whereas the former were often obliged to do what was in the end, prejudicial to them. The latter were absolutely led by a few; the former consulted with many, and paid regard to many. The latter resolved on what pleased them, and prosecuted it with stratagem and violence, consistently, and in spite of all opposition; the former looked around to see whether and where and how they might succeed, and were especially very dependent on the clergy." To the same effect Clarendon says, in another place; "Renounce principles, and a reasonable decision is no longer possible, but only a majority of voices and rude force,

which give no security for what is resolved upon." Very true, only care must be taken not to confound mere abstract notions and prejudices with the highest vital principles, or to give them out as such.

Cromwell, taught by the experience of his life, had probably kept free more than any other of such partial infatuation; but without embracing what was right, still less without being disposed to sacrifice himself for it. He was therefore suspected by all parties. When he set out on his march for Scotland, the chief persons among the Levellers accompanied him out of the city; where, on taking leave, he made a very excellent profession of his principles, and assured them that, like themselves, he sought and aimed at what was honorable and just. At this they were very much rejoiced; but learnt soon afterwards, that some Presbyterian clergymen had followed him in a coach, and were no less satisfied with his obliging reception of them.

In order to bring the matter to a decision, Major Huntingdon, on the 3rd of August, 1648, brought an accusation against Cromwell of High treason; but not a member of the House of Commons would second the motion; nay, the Speaker would not even propose it: and in the Upper House nothing was done, either through fear of Cromwell, or because he was considered to be indispensable, or because the whole was believed only to be a trick of the Presbyterians. Huntingdon being thus repelled by the Parliament,

caused his accusation to be printed. It turned chiefly on the following points: Cromwell caused the King to be carried off, negotiated with him underhand, excited discontent in the army instead of allaying it; he has expressed himself in a hostile manner with respect to the Parliament, hindered the King's coming to Richmond, driven him from Hampton Court by artful warnings, and said that it was lawful in dealing with a rogue to play the rogue.

Verbal or printed accusations of such a kind certainly prove the violent excitement of the passions at those times, but could in fact decide nothing; all depending on who acted with the greatest promptitude and resolution. Cromwell and Fairfax took advantage of every moment, and exerted the greatest activity to put down the royalists in all parts of England; while the Parliament lost many precious months without coming to any important resolution, or moving consistently in any one direction. When, for instance, it was again discussed in the Lower House, in the month of July, whether fresh negotiations should be opened with the King: Thomas Scott said, "It is always too soon or too late to negotiate with such a faithless and implacable prince. He who draws his sword against the King, must throw away the scabbard. Any peace with Charles would be followed by the ruin of all the good and pious. Who will assure you, if you negotiate in London, that the city will not be reconciled to the furious King, and

give up your heads to be sacrificed, as Samaria did the heads of the seventy sons of Ahab ; “and if,” added Colonel Hervey, “he promises you to remain in a neighbouring palace, who will trust a man, who has so often sworn falsely?” “I am of a contrary opinion,” replied Simon Ewes, “we may and must trust the King ; or if you do not know our situation, I will describe it to you in a few words. Your gold and silver have vanished ; your fleet is in a state of mutiny ; you are hated and despised by the English and Scotch. Judge then, whether, in such a lamentable state of things, it is not high time to be reconciled to his Majesty.”

Opinions so directly contrary destroyed each other's effect, and though London warmly interfered for the King, ⁽²¹⁾ nothing was in fact done till news was received, that Cromwell, with an inferior army, had totally defeated the Scotch, near Preston, on the 19th of August ; ⁽²²⁾ had taken the Marquis of Hamilton prisoner ; had restored the alliance with the Parliament ; and dissolved that with the King. The new treaty of Cromwell with the Scotch does not contain one word respecting the securing of Charles ; but the victorious religious party manifested the bitterest spirit of revenge towards its brethren, who were of a different opinion. Without respect to piety and learning, the clergy were expelled, and the royalist laity subjected to ecclesiastical punishment, like criminals. “I know for certain,” writes an eye-witness, speaking of the conduct of Cromwell, “that the Scotch, who sold their

King for £200,000, were now sold at two shillings per head, and dragged to the American colonies." Nay, even this treatment might be considered as a favor, since the House of Commons had resolved that the royalist prisoners, as being taken in unlawful war, should be shot.

On the 23rd of August, the news of Cromwell's victory was received in London. On the 24th, the House of Commons revoked the resolution not to negotiate with the King, and sent five Lords and ten Commoners to the Isle of Wight, who, almost without exception, wished for a speedy conclusion of peace. ⁽²⁾ Nay, several, among whom were Hollis and Grimstone, conjured the King, upon their knees, to accept the conditions, without loss of time; for the question did not now relate to some single royal prerogatives, but to the saving of the whole constitution from military tyranny.

His bitter sufferings had turned Charles's hair grey, ⁽²⁴⁾ and his former dignified demeanour was now accompanied with an expression of profound grief. His spirit was not bowed by his fortune, but neither did he understand how to command it. His energy was mixed with weakness, which again led to ruinous equivocation and vascillation. At this moment, when the dangers of the Presbyterians and of the King increased every instant, and prompt resolution was indispensably necessary, they treated about secondary objects, and the King purposely made his concessions

in such terms that he might have room at a future time to interpret them as he pleased. He thought of a new war and flight to Ireland, and attached his own welfare and that of the kingdom to fallacious hopes, and to the maintenance of a transitory form of church government. If we consider the terms laid before the King, which we have so often mentioned, he had already yielded too much (if we do not look at the circumstances of the moment) and too little, if a speedy essential change in his fate ; was to be the result.

Thus the negotiations continued till the 27th of November, without leading to any conclusion ; and the King said to the deputies : “ You come to take leave of me, and I believe that we shall hardly ever meet again. But God’s will be done. I have made my peace with him, and will bear without fear what he may cause me to suffer through men. But in my ruin, you must also see your own. God give you better friends than I have found. I am thoroughly informed of the conspiracies against me and mine ; and nothing affects me so much as the sufferings of my subjects, and the misery that hangs over England, produced by those who, under the pretext of the public good, eagerly pursue their own objects and advantage.”

Thus the Parliament and the King had again spent three months without coming to any decision. Very different was the energy with which the army acted from the moment that it had overcome the royalists.

On the 20th of November (²⁵) it presented a remonstrance in its own name and that of General Fairfax, in which all its preceding demands were arrogantly renewed; the conduct of the Parliament severely blamed; the King represented as the worst of criminals, with the demand that he should be prosecuted for treason, and, like other ringleaders, should be punished with death. Some Members of Parliament blamed both the form and the substance of this representation; others excused it, while others again remained silent through fear; lastly, the Independents praised it, and proposed a vote of thanks to the army. They carried a resolution that the King's concessions did not appear satisfactory; they, however, thought fit to put off the debates upon this remonstrance for a week, though the officers took this much amiss, and uttered threats in consequence.

This precious week, which would have sufficed to bring the negotiations in the Isle of Wight to a conclusion, was again lost; and on the 1st of December, when the deputies, upon their return, made a report of their parting from the King, Fairfax wrote to the city that he was on his march to London with the army; that they had no thought of plunder or other wrong to the city, but he desired that they would provide good quarters in large houses, and raise £40,000 for the soldiers by the following evening. The magistrates sent this letter to the Parliament, and the Lords answered that the city might do what it

pleased. The Commons, on the other hand, ordered that all possible pains should be taken to raise the money, and wrote to the general not to bring the army to London ; but before the letter was dispatched it was reported that the troops were only a mile from Westminster, and a proposal to declare this approach of the army a violation of the freedom of the Parliament was rejected by a majority of forty-four to thirty-three.

In the midst of this confusion, the question was brought forward, whether the King's answer appeared to be satisfactory. Some cried Yes, others No ; on which Fiennes said : ⁽²⁶⁾ " The King has done sufficient for the security of religion, law, liberty, by putting the affairs relative to war and to the state in the hands of the Parliament, and by abolishing everything offensive in the affairs of the church. These two are matters which the Parliament has always brought forward as decisive. That the King will not himself judge those who are called delinquents, but leaves the decision to the course of law, is highly proper, as the Parliament never intended that they should be sentenced in an arbitrary and violent manner."

On the following day, the 2nd of December, the debate was continued, in which Sir Henry Vane said, " It will now be seen who is an enemy or friend of the country ; who belongs to the party of the King or to that of the people. The country was already peace-

ably governed, and began to taste the sweets of republican government, when the intrigues of ill-disposed persons produced insurrections in England as well as war with Scotland, and caused the revocation of the resolution to enter into no negotiations with the King. These must be immediately broken off, the government new modelled, and every one severely punished who ventures to interrupt order and tranquillity. This will certainly be very agreeable to the army, which deserves so many thanks for its last remonstrance." So violent an attack produced violent replies. "Vane," it was said, "is very wrong in representing the views of the more numerous half of the Parliament as criminal, and self-interest impels him and others to hinder peace, for the sake of their places and salaries." When the party of the Independents insisted on immediately taking a resolution conformably to Vane's proposal, Prynne affirmed that the Parliament was not free, and being surrounded by the army could not come to any resolution. In opposition to him, others desired, as it was already late, that candles should be lighted, and that they should not break up till they had come to a decision. This was done with the intention that all the more aged and peaceably inclined Members might be wearied out and induced to go away. But the intention was so palpable, that it was resolved, by a majority of 132 to 102, to adjourn the debate to the following Monday.

On the 4th of December news was received that the King, notwithstanding the security which the Parliament had promised him, had been again carried off by the army and brought to Hurst. (²⁷) A declaration made by him, of the following tenor, was also made public: "The unhappy people has long groaned under the weight of tyranny, and all the blood that has been shed during these seven years is imputed to me, who, though I am the least guilty, suffer the most. The army prevents a reconciliation; and, in a manner hitherto unparalleled, calls me the chief enemy. At the first I was accused of granting too little; now, that I have accorded too much: formerly, I was arrested because I had levied war; now, because I desire to conclude peace. Once I ruled without restraint as King, now I am governed like a slave; formerly I was condemned on account of evil counsellors, now because I have no counsellor but God. Those persons hinder peace who seek to become masters instead of servants, to establish a democracy, and to destroy the constitution in all its parts. Such conduct will in the end destroy the authors of it: he who strives to rule by the sword will perish by the sword. Party rage always leads to ruin; and those who prefer change to everything will find pleasure in nothing that is durable, and run madly from one folly to another. For my part, I declare, in the face of heaven, that my own sufferings, though they need no addition, do not afflict me

so much as the misery of my people ; for I know in what I have to trust, but they do not know. May God comfort them and me, and give us patience in proportion to our sufferings. By the goodness of the Almighty, I shall be as content in enduring, as my enemies are active in afflicting me, and my soul tells me that a time will come when vengeance will fall on the head of those who oppose peace. I thank God that I am armed against their rage ; let their arrows fly around me, I have a breast to receive and a heart to bear them. God is my shield, therefore I do not fear what man may do unto me ; but I will expect the worst, and if anything happens beyond my expectation give the honor to God, for vain is the help of man."

On the 4th of December, the House of Commons, by a majority of 136 to 102, declared that the carrying of the King to Hurst Castle was without the knowledge and consent of Parliament ; by which, however, it showed its weakness rather than its energy. Many affirmed that the army ought to be satisfied ; and Mildmay exclaimed, "The King can no more be trusted than a raging lion who recovers his liberty." The question whether the King's offers were satisfactory was at length negatived by 144 to 93 votes ; which great majority arose from the opinion, even of the friends of peace, that they could not hope to have the question carried in the affirmative. The greater was the earnestness with which they advo-

cated the second question, namely, that negotiations might be commenced upon the King's propositions. The chief speaker on this side was Prynne, formerly the most vehement accuser of Laud and of the King. He said, "Having been unanimously chosen Member of this House, without my seeking it; and, by the divine dispensation, entering upon my duties at the grand moment when the most important public affairs that ever were discussed, when life and death, the welfare or the destruction of three Kingdoms, depends on the aye or no pronounced upon this question, I will, with the greater boldness, ask liberty to clear my conscience towards God, and to perform my duty to my expiring country; as I well know that this may be the last time that I shall be permitted to speak my sentiments in this House. Because I have affirmed that the King's proposals are satisfactory, I have been reproached with being an apostate, and having gone over to Charles's party. To this I answer, in a word, I have written more against the arbitrary authority and illegal conduct of the King and his prelates than any other man. I have suffered more from the King and the prelates than any other; and if the King and the prelates were restored to their arbitrary power and illegal privileges, I should have reason to fear suffering as much or more from them than any other person. All the favor that I have received from the King and his party is that they cut off my ears, put me in the

pillory, caused my books to be burned by the hangman, twice fined me £5000, expelled me from the University of Oxford, deprived me of my income, confiscated my books and property, confined me for eight years together in different prisons, and the half of that time without pen, ink, and paper, or visits from my friends, and all this merely because I opposed civil and religious tyranny. For this I have not received from the King any indemnity, and from you not even thanks, as so many others have done for the most trifling services. I am neither an apostate to the King's cause, nor bribed by your favor. All that I have done and written was not out of revenge, not to calumniate or dishonour the King, or to alienate the people's affections from him; still less to promote his being deposed or entirely laid aside; though it is my opinion that Kings are accountable to their people and Parliament, and in case of extreme tyranny, and when the destruction of all right, liberty, laws, and religion would be otherwise unavoidable, may be deposed.

“But now, on the other hand, the army has forgotten its duty, done violence to the Parliament, and broken the Covenant; against which, in the same manner as against royal tyranny, I must declare myself, and dare not vote against my conscience in order to please the soldiers. Now the concessions of the King are sufficient, because the demands submitted to him were by no means unconditional, (which

would destroy the idea of a convention ;) because the Parliament formerly yielded in many points in similar negotiations ; because the King grants more than he has ever yet done. England obtains more than any other Christian state ; and certainly as much as is perfectly sufficient to establish true liberty and justice. Every one who possesses reason and judgement, who regards duty and conscience, and is not swayed by passions and unlawful engagements, must necessarily vote for the acceptance of the conditions." Here follows a circumstantial and clear proof that the King's offers respecting all the individual points were satisfactory ; the demands of the army, on the other hand, wholly objectionable, both for the State and the Church. "If," concluded Prynne, "we reject the King's proposals, and break off the negotiations, all our hopes, all means of peace, all the great concessions which the King has made for our security and that of our posterity, fall to the ground. We risk everything ; nay, the monarchy, the administration of justice, the laws and liberties, the kingdoms and religion, will be lost."

Such a speech, from a man in such a position, elevated above all imputation of partiality, made the greatest impression ; but the struggle continued from an early hour in the morning of the 4th December, through the whole night, till Tuesday the 5th December, at nine in the morning, when the House of Commons decided, by a majority of 140 to 104, that his

Majesty's concessions to the propositions of Parliament were sufficient grounds for settling the peace of the kingdom; and the House of Lords acceded to this resolution on the same day. All moderate men rejoiced at this victory, and hoped for the return of order, and the restoration of the due equilibrium between the powers of the State. The army, on the other hand, feared the vengeance of the King in the event of any restoration of his power, as well as the ecclesiastical tyranny of the Presbyterians. In order to find, as they pretended, greater liberty, they trampled under foot, with more insolence than ever, all laws and venerable institutions.

When the Members were repairing to the House on the following morning, the 6th of December, 1648, they found the stairs and doors occupied by soldiers, and Colonel Pride refused admittance to every one, who, as the expression was, did not deserve public confidence. Prynne, endeavouring to force his way in, was pushed back; and when Fiennes asked by whose authority this was done, he was answered, by that of the sword. In vain did those Members who were for the present acknowledged require that those who were excluded should be set at liberty: they were confined (adding mockery to injustice) in a low public-house, called Hell, and lay there the whole night, on the stairs, benches, and the floor. On the following morning, they were all

taken to Whitehall, where Fairfax made them wait the whole day in vain for a hearing ; and at last sent them word, by a couple of officers, that he had more pressing business to attend to, and could not speak to them. Hereupon they were surrounded, like criminals, by soldiers, conducted back through the mud-diast streets to two wretched public-houses, and jeeringly asked what had become of the pay for the army. Some Lords, for instance Pembroke and Salisbury, who, either out of cowardice or false enthusiasm, repaired to Fairfax, and offered, if it appeared to be for the general good, to lay their peerage at his feet, met with no other reward than being ridiculed and despised by the officers.

On the day when all these violent proceedings took place, Fairfax and the officers presented to the purified Parliament their humble proposals and wishes. They said they had seen long enough with sorrow the discordant debates of the Parliament, guided by party spirit and self-interest, and how the public good had been neglected and disregarded. In order, therefore, to put an end to all these follies, deceits, and treacheries, they must return to their old demands and add new ones, and, in particular, solemnly accuse many members of the Lower House.

Its request that the prisoners might be released, was positively refused by Fairfax ; and, on the application being repeated, they received for answer that they were not to expect any reply from him in this

important business ; and, therefore, they need not trouble him any further upon the subject. Hereupon it was resolved, by a majority of 50 to 28, to accede to the demands of the army.

Cromwell, who had purposely delayed his return till the 17th of December, now received the thanks of the House for his distinguished services, and declared that he had not been informed of the plan of purifying the Parliament, but considered it as a divine inspiration, and would maintain what had been done. Forty-seven Members of the Lower House remained under arrest, ninety-six others were excluded, and not a few withdrew of their own accord ; so that the number of those who were present was reduced to fifty : nay, on one occasion, a Member was fetched from prison, to complete the number of forty required to make a House. At the next sitting it was ordered that there should be a day of general rejoicing for all these happy events ; and on the 13th of December all the resolutions which were to lead to a reconciliation with the King were revoked, because they were contrary to the honor of Parliament, and manifestly ruined the welfare of the kingdom. When the excluded Members loudly complained of this, their assertions and statements were called false, seditious, scandalous, and clearly aiming to destroy the fundamental government of the kingdom.

In this manner the former enemies of the King (how speedy was justice!) were at once ill-treated and

ridiculed, and this at a moment when the conquerors merited in a higher, nay, in the highest degree, all the reproaches of the conquered. But as at that time everything, however base, was covered with the cloak of pretended piety, or even of divine inspiration, the approaching dreadful tragedy began with a sermon of Hugh Peters, who knew how to combine wild enthusiasm with mountebank hypocrisy, in a manner which appears disgusting and contemptible to every unsophisticated generous mind, but made a great impression upon distorted and overheated imaginations. He took for his text the words of the Psalmist “ Bind *your* King with chains, and *your* nobles with fetters of iron ;” compared the King with Barabbas, whose release was demanded by foolish men ; called the red-coats the saviours of the people, and affirmed that there were in the army at least five thousand saints, not inferior to those who in heaven surround the throne of God. He then stopped, closed his eyes, laid his head upon the cushion, and then exclaimed that he had had a revelation, that the slavery of the children of Israel and of the elect should have an end, by an extirpation of royalty in England and in all other kingdoms.

On the 23rd of December, the day after this blasphemous prelude, it was proposed, in the House of Commons to prosecute the King on a criminal charge. Some would willingly have referred the whole matter to the army ; whereas others observed

that such a measure was unparalleled in history, would only excite vengeance and increase the evils, because no new re-action was to be apprehended; but that the time was come to establish freedom on clemency and moderation. Cromwell said if any man had of his own accord proposed a plan to depose Charles, he would consider him as the greatest traitor; but as providence and necessity had produced it, they must submit: and he begged God to bless their counsels, though he was not immediately prepared to express an opinion. This hypocrisy of the man who, more than any other individual, urged the accusation against the King, appeared, however, to be denying too much: wherefore Cromwell soon afterwards, in the spirit of those times, taking another turn, told some persons that he had attempted to implore by prayer God's blessing for Charles; but that his tongue cleaved to the roof of his mouth, so that he could not utter a word, a proof that God had rejected the King. ⁽²⁸⁾ In the same spirit, and after the example of the Scotch Presbyterians in the year 1638, there appeared also at this moment a female saint from Herefordshire, to whom God had revealed that the accusers should persevere in their course.

Accordingly, on the 23rd of December, 1648, and 2nd of January 1649, it was resolved in the House of Commons, by no more than twenty-five or twenty-six persons, ⁽²⁹⁾ that the King should be impeached and tried before a high court of justice, consisting of one

hundred and fifty chosen persons, because he had formed the wicked design totally to subvert the ancient laws and liberties of the kingdom, and to introduce an arbitrary and tyrannical government ; because he had made war against the Parliament and the kingdom, by which the country had been laid waste with fire and sword, the public treasure exhausted, trade decayed, thousands of people murdered, and infinite other mischiefs committed. Now that God had delivered him into their hands, they must publicly accuse him for such great and treacherous guilt, in order to prevent greater evils, and to deter others hereafter, and punish him as he deserved.

When this resolution of the Commons was laid before the Upper House, the Earl of Manchester proved that the King was one of the three indispensable members of the Parliament, and it was therefore a manifest absurdity to accuse him of treason against the Parliament. The Earl of Northumberland affirmed that not a twentieth part of the people were convinced that the war had been begun by the King ; and even if that were the case, it could not by any law be considered as treason. The Earl of Denbigh exclaimed that he would rather suffer himself to be cut into pieces than take part in so shameful a proceeding. In consequence of these opinions, the proposal of the House of Commons was unanimously rejected by the thirteen (others say sixteen) Lords who were present, with a declaration that no resolution

of the Lower House was valid without the concurrence of the Lords. At this the zealots in the Lower House were so indignant that at the first they were for accusing all the Peers of high treason ; and then, on the 4th of January, unanimously resolved that the people, under God, are the original of all just power ; that the Commons of England, assembled in Parliament, being chosen by and representing the People, have the supreme authority of this nation, and whatever is enacted or declared law by them has the force of law and binds the whole nation, even though the King and the House of Peers have not consented to it. Accordingly the Court for trying the King for high treason was formed, without regard to the opposition of the Lords.

A letter from the Queen, in favor of the King, was laid aside without being read, ⁽³⁰⁾ and a declaration of more than sixty Presbyterian clergy, that the trial of the King was contrary to the divine and human laws, against the oath and covenant, was declared to be an impertinent interference in affairs of state. The Scotch twice solemnly protested against the last steps of the Army, called the proceedings against the King illegal and abominable, adding, " We delivered the King to the English, in order to promote the conclusion of peace, not to lead to his ruin ; and declare ourselves innocent of all the misery, confusion, evils, and disasters, which must thereby be brought upon these unhappy kingdoms." ⁽³¹⁾

"If any moderate resolution could be expected,"(said Grignon, in a letter written about this time to the French Minister, Brienne,)(*) "from Cromwell and his son-in-law Ireton, much might be hoped for the King. For then they would not bring down upon themselves the hatred of the people, would govern in his name, as they do now, and deprive their enemies of the most plausible pretext to undertake anything against them with success. But they have driven matters to such an extreme of violence that they despise gentle means, and the more because there is no person able to oppose them. Even the opposition of the Scotch will be fruitless, either because the parties suppose that their friends in Scotland will be able to defeat the effects of the resolutions adopted, or because that country is not able to do them any harm. Unfortunately for the King, the accounts of the disturbances at Paris increased the boldness of his enemies, who have always believed that France alone is able to afford him assistance".

Meantime the King had been long since prepared for the worst ; and, as the danger increased, his principles were corrected and his feelings purified. On the 29th of November, 1648, he wrote to his son, " You see how zealously we aimed at peace ; do not suffer yourself to be discouraged by this, but rather show your greatness of mind by endeavouring to gain your enemies, by pardoning rather than punishing them. You will avoid the sentiments of our adversaries by

recognizing the inhuman and unchristian nature of their implacable character. Do not blame us, as if we had given up too much of our right ; the prize was great and the gain security for us and our people. Another Parliament will one day remember how useful the power of a King is to the liberty of a people ; and the latter will learn that victories over their Prince are only triumphs over themselves. Believe our experience, and never aim at more greatness or privileges than are truly necessary for the welfare of your subjects, by no means of your favourites. Nothing in the world is worth gaining by bad and unjust means. If God one day gives you success, make use of it with moderation and without revenge ; and fulfil even hard terms, if you have agreed to them, on your restoration."

Still more characteristic is the Meditation on Death ; which the King wrote immediately after the resolution of Non-address, as it was called, and from which we select the following passages : (") "I have not only leisure enough, but more reason to prepare myself for death ; for I know that there are but a few steps between the prison and the grave of princes. My long and bitter sufferings have so reconciled in me the contrast between life and death, that the ordinary terrors of the latter have wholly vanished. In the struggle against these terrors I have first learned to feel the life of religion, the happiness of a good conscience, and the impenetrable shield of integrity and firmness. I am neither old enough to be

weary of life, nor I hope so bad that I must fear to live, or be ashamed to die. Yet I am at times so melancholy that I could wish for death, if I did not consider that it is the highest glory of a Christian to die daily, by subduing, through lively faith and calm hope of a better life, this partial and daily effort; nay, by surviving his own fate, losing health, liberty, honor, power, distinction, property, and the consolation of our dearest connections, who are the life of our life.

“Though as King, in particular, I live by nothing so much as by the love and good-will of my subjects, for whom I have suffered many deaths, yet I hope that I am not quite dead in this point; though my enemies have employed all the poison of falsehood and all the power of hatred in order, first, to destroy the love and fidelity of my subjects, and then to annihilate in me all the satisfaction of life, which was founded on them. Death retains its terrors, whether I suffer it by a speedy murder, or with the greater formality, which my enemies will maliciously and cruelly add to it, in order to give an appearance of justice to an act condemned by all laws, human and divine. They will never believe that a royalty of weeds, which some endeavour to establish, (at once weak and barren,) can grow before it is watered with royal blood. But God will not suffer them to dwell in the Babel which they build with the bones of a King, and cement with his blood. They will

find the avengers of death among themselves. Now the will of mine enemies seems to be the sole law ; their power the standard, and their success the touchstone of what they are pleased to call justice ; they deem themselves secure, through my danger and my death, and forget that, as the greatest temptation to sin is always invested with the appearance of the greatest fortune, the most fearful vengeance of God is manifested when men are permitted to complete their wicked designs. God's will has bridled and subdued mine ; thus I shall die without desire of revenge, as becomes a Christian towards his enemies, and a King towards his subjects. The hard and unavoidable tyranny of my enemies will refute the calumnies respecting my tyranny, and the most obstinate and wicked among them will be punished like the company of Korah ; for the meanest and basest of the populace, on whom they have chiefly built their plans against me, the church, and the state, justly despising their ill-gotten and abused power, will fall upon them and devour them. Lastly, I thank my enemies more than my friends ; for the former seek to put an end to the sins and the cares of this wretched life, while the latter wish to protract my struggle."

Had Fairfax been a man, and not merely a tool for accomplishing the objects of others, he ought to have hindered this last turn of things, or have boldly sacrificed, and thereby purified himself ; but he did

not go beyond some fluctuating doubts, and was not merely carried away by Cromwell, but closely observed, nay, watched by him. In fact, on the 19th of January, many officers expressed to him their joy at the wise conduct of affairs, and the accusation of the King. They said it might be hoped that they should now see and obtain the fruit of their great exertions.

On the following day, January 20th, 1649, the Court assembled for the first time, and (under an appearance of impartiality, to increase the number of accomplices) was composed not only of Members of Parliament, but of officers, of persons holding civil employments, and others. Of 150, however, who were appointed, the greatest number that ever were present was 71, and that only once; at all other times the number was smaller. (*) When Bradshaw, the lawyer, who was chosen President, read the list of the names of the Members, and came to that of Fairfax, a female voice exclaimed from the platform that he was not there, and disdained to sit among them. It was Lady Fairfax who, more courageous than her husband, defied the sanguinary judges.

In order to drown such interference, the soldiers who were placed on guard called aloud, by order of Axtel, their commander, "Justice, justice!" and those who refused or hesitated were compelled by blows. When the King entered, and saw all the judges covered, he also put on his hat and sat down.

Thereupon Bradshaw spoke, saying that the House of Commons, by virtue of the supreme authority which had been intrusted to it, and which it possessed, had resolved to bring the King to trial. Coke, who was appointed attorney-general, read the very prolix, highly partial, and unjust accusation, which concluded with saying, that the King was impeached as a tyrant, a traitor, a murderer, and the author of all the bloodshed.

Charles had listened to all this with dignified composure, only at the last words a bitter melancholy smile was observed on his countenance. To the question of the President, what he had to answer, the King replied, "By what legal authority am I brought here? You sit by virtue of an arrogated power; and I represent the true liberty of the people more than any of my pretended judges. Consider that I am your lawful King, that you heap heavy sins on your own head, and bring the wrath of God upon this kingdom. I see none of the Lords who, with me, formed part of the Parliament, and I will not be unfaithful to my office and my situation, and recognize an illegal tribunal." Bradshaw replied that the King had been brought hither by order of the Parliament, and for the good of the English people; and he therefore called upon him to give a better answer. "Charles," say his accusers, "persisted in his obstinacy, and did not shew the least respect for the Court." "He behaved," say his friends,

“with the dignity becoming a King; and Bradshaw and Coke performed their office with harshness and presumption.”

When the King, on the second examination, on the 22nd of January, again denied the legality of the Court, Coke proposed to take the matter *pro confesso*. The King, on the other hand, said, “If violence without justice can make laws, and overthrow the fundamental constitution of the kingdom, I do not know what man in England is secure of his life and property.” Hereupon the following conversation took place. *Bradshaw* : It does not become a criminal to dispute the authority of the Court. You speak of law and reason, but both are against you. *The King* : I do not see how a King can be considered a criminal, and brought before any earthly tribunal. *Bradshaw* : We sit here with the full powers of the Commons; to whom you are answerable, as all your predecessors were. *The King* : That I deny; show me a similar case. *Bradshaw* : Sir, you must not interrupt when the Court speaks to you; it does not permit you to dispute this point. *The King* : The Commons of England never were a Court. *Bradshaw* : Sir you are a prisoner, and you are not permitted to continue this conversation; you must rather answer distinctly to the charges. *The King* : Show me that jurisdiction where reason is not to be heard. *Bradshaw* : We show it you here, the Commons of England.—After these singular and equivo-

cal words, Charles turned round, and said to the audience, "Remember that the King of England is condemned without being allowed to produce his arguments in favor of the liberty of the people." On this a cry was unexpectedly raised of "God save the King!"

In order to counteract this favorable feeling, which was daily growing stronger, witnesses against the King were heard, ⁽³⁵⁾ whose depositions amounted to this, that they had seen him at the head of soldiers, or sword in hand, which maliciously and at the same time absurdly was alleged as a proof of murders deserving death; whereas the thorough justification of Charles, which was presented in writing, made no impression.

Hitherto the King had been treated externally in every respect as such. The officers of the court performed their functions; his meals were brought in covered dishes; the goblet presented kneeling, and all other forms observed. ⁽³⁶⁾ Now all this was abolished by order of those in power; which the King might consider as a certain indication of his approaching fate, and perhaps it was at this time that he wrote in a book,

*"Rebus in adversis facile est contemnere vitam
Fortiter ille facit, qui miser esse potest."*

And in another book,

*"Fallitur egregio quisquis sub principe credit
Servitium : nunquam libertas, gratior exat
Quam sub rege pio."*

Charles turned over in his mind whether he should not abdicate, on equitable terms, in favor of his son ; with which however the ambitious leaders would not have been satisfied. According to another not improbable account, several of the judges offered to exert themselves in his favor, if he would only acknowledge the authority of the Court, take upon himself a part of the blame, and not lay it entirely upon the Parliament ; but he rejected this proposal as unreasonable and unjust.

In fact, all proposals, forms, proofs, and counter-proofs were wholly indifferent, because the condemnation of the King was firmly resolved upon before the opening of the Court ; and no regard whatever was paid to the fact that above half the members of the Court were always absent. On the 27th of January was the last sitting, in which, chiefly by the despotic influence of Cromwell, they absolutely refused to allow the King to defend himself there, or, as he earnestly requested, to be heard before the Parliament. After a long speech, in which Bradshaw endeavoured to justify the whole of the proceedings, they pronounced sentence (³⁷) against him, adjudging that the said Charles Stuart, as a tyrant, traitor, murderer, and enemy of the good English people, shall be put to death by the severing of his head from his body.

The King again requested in vain to be heard in his defence ; Bradshaw ordered him to be removed

out of Court. Everywhere was manifested the noble indignation as well as the savage passions of the minds of the people. When it was declared that the King was tried according to the wishes of the whole English nation, a female voice from the platform exclaimed, "You lie; not the fourth part of the people desire it. Cromwell is a villain and a traitor!" They were going to arrest and punish the woman: it was again Lady Fairfax. The more unworthy was the conduct of others. When a soldier, as Charles passed by, said, "Sire, God bless you!" his captain struck him with his cane; on which the King observed, "The punishment is greater than the offence." Others cried "Justice!" or blew the smoke of tobacco in his eyes, nay, it is reported that some spit in his face. He was conveyed back to his apartments in a sedan chair. All the streets were lined with soldiers and crowded with people, while the most solemn silence prevailed. Many wept and prayed in secret for the King. He, however, notwithstanding the original impetuosity of his character, remained constantly composed and patient. His cold reserve, and the self-will which often manifested itself, were refined, during this last time of trial, into genuine fortitude and calm dignity.

The only favor that was shown him was the permission to take leave of his children, the Duke of Gloucester and the Princess Elizabeth. This hour affected the King more deeply than all the disgrace

and all the danger to which he had been subjected. He exhorted his son never to accept the crown to the prejudice of his elder brother, who had fled from England; and the child answered, "I will suffer myself to be torn into pieces first!" To his daughter Charles said that he had forgiven all his enemies, and commanded her to do the same.

Cromwell, on the other hand, said, "If I have no alternative but whether my head shall fall or that of the King, how can I hesitate?" Even during the trial he had laughed and joked, and now, when he urged before all the order for the execution, he exclaimed, "This time Charles shall not escape us." With a loud laugh he even subscribed the death-warrant, ⁽³⁸⁾ obliged others almost by force to do the same, and smeared Martin's face with ink, who did not fail to do the same to him. Such was the conduct of the worthy founders of new liberties and a new era at a moment of such awful importance as was then unparalleled in the history of the world.

Foreign monarchs did not venture to take any decisive step in favor of their brother sovereign, but confined themselves to a timid ineffective policy, ⁽³⁹⁾ only a republic, the United Netherlands, made an energetic appeal in favor of Charles, though no more regard was paid to it than to the threats of the Scotch and the entreaties of the Queen and her children. ⁽⁴⁰⁾ At this moment, four of the King's counsellors, Richmond, Hertford, Southampton, and Linsay, de-

clared that they were to blame for everything and were alone answerable. But what would it have availed the leaders to sacrifice four men of so little importance, when their object was to overturn the throne, or to model it for themselves.

Fairfax, who had wished to defer the execution, either learnt nothing of the last resolutions, was watched by Cromwell, or, as usual, with him, and in fear of danger for himself, had not the courage and decision boldly to step forward. ("

When Juxon, Bishop of London, who, at the King's request, was to prepare him for death, expressed his compassion for him, Charles said, "Let us not speak of the wretches in whose hands I am; but rather of what is needful." During the last night he slept as calmly as ever; and when Herbert appeared to dress his hair with less care than ordinary, he said, "Take the same pains as usual; I must be dressed to-day like a bridegroom." After receiving the sacrament, on the day of his death, the 30th of January, 1649, he said, firmly and cheerfully, "The wicked may now come. I have forgiven them from the bottom of my heart, and am prepared for everything that can happen." After much hesitation, the scaffold had been erected in the front of Whitehall, that the King might appear in the most profound abasement at the same spot where he had formerly been seen in the highest pomp and majesty. He was conducted to the scaffold through an opening that

had been made in the wall. Soldiers and drummers were stationed all round, that the bloody deed might not be hindered, or the King's speech be heard by many of the spectators. To those who stood nearest he said, however, a few words to the following effect: "Did I not fear that my silence would be taken for an acknowledgment of guilt, I would not speak at all; but now it appears to me to be a duty to God, to my country, and to myself, to justify myself as a man, a king, and a Christian. Everybody knows that I did not begin the war, and had no design to abridge the rights of the Parliament; yet I will not lay the blame upon the latter, but only on certain wicked instruments. Therefore I cannot take upon myself the blame of the blood that has been spilt; though I consider my fate as a punishment for the death of Strafford. That I am a good Christian, Bishop Juxon will testify; for I have not only heartily forgiven my enemies, but wish with equal ardour that they may repent of their sins, and bring things back into the right course; for God will never bless them till they give to him, to the King, and to the people what is their due. The laws show what are the King's power and rights; and the liberty of the people does not consist in governing itself, but in being governed by law."

After these and similar expressions, Charles prepared himself, with the greatest firmness, for death, and said to Juxon, "I have a good cause, and go

from a corruptible to an incorruptible crown, where no disturbance can arise." On his giving the signal, one of the two masked executioners severed his head from his body, at a single blow ; and the other, holding it up, cried, " This is the head of a traitor." (⁴²)

When the King's head fell, the anxious silence which had prevailed all around was interrupted by deep sobs ; and, without regard to the danger, the spectators shed the bitterest tears of pity and repentance. The feelings of sorrow, affliction, and indignation (⁴³) spread through the whole kingdom ; and many who had hitherto been indifferent, or even hostile to the King, were seized with consternation, and loudly proclaimed his praise. However, there remained zealots enough in the army, nay, what is more surprising, among the clergy, (⁴⁴) who openly affirmed that nothing was more lawful than the King's execution, and boasted of having set an example to all nations how to consolidate their freedom. " The King," said these men, " is, like every other person, subject to the laws ; (⁴⁵) and in case he arbitrarily violates them, there must be means to repress or to punish him. Now, as Charles perversely refused new securities for the preservation of liberty, he was himself the cause of his ruin. If the course of judicial proceeding which was adopted is rejected, there remains no real difference between the English and an absolute despotic government."

To this conclusion we may oppose various objections, both general and particular. It is only when considered in a superficial manner that the King is quite in the same rank with every subject. More accurate research shows that, as hereditary monarchy deserves the preference to the apparently better elective monarchy, so a consecrated inviolable monarch (*sacrosanctus*) is far more salutary and effective for the maintenance of general order and legality than one who may be compelled to descend into the circle of ordinary responsibility. For every judgment of this kind includes in it such a profound and general scission of the public relations, such an annihilation of the healthy state of things, such a revolution in all power and authority, that the State always falls into ruins, from which it has to recover itself by civil war. As tyrants have employed and misunderstood the doctrine of divine right as a palliation of exorbitant despotism, so an appeal is made in such times to the doctrine of the sovereignty of the people, that is, in the last instance, to force ; which, however, is by no means exercised by the whole people, but by a few, and for the most part contrary to the true wishes and the real good of the people. Charles is a striking proof of the truth of this assertion.

There was no law by which he could be called to account either as a King or a private individual, much less by which he could be sentenced to capital punishment ; both the trial and the sentence were in

flagrant contradiction even with the doctrine of the unconditional supreme rights of the people and the former principles of the Independents. It was a notorious falsehood that Charles had refused all securities for future liberties, that he had commenced the war without reason, overturned the constitution, or ever exercised tyranny in the sense declared by the Parliament. If, therefore, Ludlow, Bradshaw, Hutchinson, and others, found and confirmed, as they say, this conviction by prayer, serious research, and reference to Jewish examples, this only shows how evil delusions can break in even on this apparently holy circle, can deceive the natural sense, deaden the conscience, and tempt man to sin. Hence the excuse, "That the murderers of the King were satisfied in their consciences, and bound by it," loses all its weight, because, setting aside every more solid motive, the most passionate the most indefinite opinion was substituted for truth, and given out as infallible certainty.

If we should grant that there are cases in which extreme tyranny can be broken only by extreme resistance, yet, in the present case, the murder of the King, accomplished by a small but fanatic band of criminals, cannot be represented as legal, as useful or necessary, or the proceedings be justified either in their form or substance. In the second half of the reign of Charles, the Parliament was the aggressor, rejected satisfactory securities for liberty, and aimed

at the overthrow of the whole constitution, in a manner which subsequently proved to be totally absurd and injurious ; least of all, therefore, can we allow the subsequent supposition, that without that crime English liberty could not have grown up.

On the other hand, these well-founded objections and reproaches do not include the unconditional justification of the King. It was the extremity of misfortune that purified him from his errors and his prejudices, for the sake of which he threw away the love and confidence of his people, his own happiness, and the welfare of the state. He has been called a martyr, and his fate testifies into what errors, in spite of laudable qualities and noble purposes, Kings and people may be misled ; but he is no martyr for new, disregarded, or irrefragable truths and principles. What he considered as alone right and eternal in church and state, has not proved to be such, and as he almost exclusively sought and perceived in the past the law for the present, he appears, at this crisis of time rather as a deplorable victim than as a model to inspire future ages.

NOTES.—CHAPTER IV.

(1) Page 316. Cromwell says of himself that he had been the chief of sinners. If some allowance may be made for the mode of speaking usual at that time, it does not follow that the early part of his life was entirely conformable to the latter, and was free from blame. *Noble, Mem. of the Cromwell Family.* p. 108—119, 131:

(2) Page 317. *Walker*, Vol. II. p. 54. *Banks' Life of Cromwell*, p. 103. *Huntingdon*, p. 327: Cromwell, and those of like sentiments with himself, often quoted instances from the Old Testament, Eliud, Sampson, David, &c.: *Burnet*, Vol. I. p. 70.

(3) Page 326. *Journ. Lords*, Vol. IX. p. 237. Fairfax, (p. 408—410) relates that he had sent troops to the King, to deliver him from the hands of Joyce, and bring him back to Holmby; but the King would not consent, and he had not been able to get Joyce punished.

(4) Page 326. *Milton, Iconocl. Works*, Vol. I. p. 282. According to *Huntingdon*, p. 313, Joyce positively declared that Cromwell had given him the commission, and the latter replied, "Otherwise the Parliament would have carried off the King." *Monteth*, p. 279.

(5) Page 327. *Grignon, Ambassades en Angleterre, St. Germain*, p. 776.

(6) Page 337. *Parl. Hist.* Vol. III. p. 664—684. *Journ. Comm.* Vol. V. p. 250. The eleven had reason to congratulate

themselves that six months' leave of absence had been granted them. *Sanderson*, p. 996.

(7) Page 340. *Parl. Hist.* Vol. III. p. 713. Probably the Presbyterian Members of Parliament were concerned in this.

(8) Page 342. Lenthal and others excused their conduct by saying that the restoration of the King was not to be expected from the Presbyterians, but that the army and Cromwell had deceived many persons by fair promises. *Parl. Hist.* Vol. IV. p. 69. *Peterborough Chron.* p. 762.

(9) Page 342. *Whitelock*, p. 265. After the 26th of July, there were in the Upper House only two or four, and on the 6th of August, nine Lords. *Journ. Lords*, Vol. IX. p. 374.

(10) Page 346. *Journ. Lords*, Vol. IX. p. 375—385. *Parl. Hist.* Vol. III. p. 746. *Rushworth*, Vol. VIII. p. 754. According to *Clarendon*, Vol. VIII. p. 294—335, even some of Cromwell's enemies fled to the army, probably deceived by the notion that the King had concluded a convention with it, and that otherwise they would come too late.

(11) Page 354. The people flocked together, and strewed the way with flowers and branches of trees.

(12) Page 356. Clarendon, too, was deceived, and said, "For sure they have as much or more need of the King than he of them." *State Papers*, Vol. II. p. 379.

(13) Page 356. *Parl. Hist.* Vol. III. p. 779. When the King sent to the Parliament the conditions agreed upon with Cromwell; the former, knowing and regarding the temper of the army, vehemently declared against them. *Dugdale*, p. 263, *Banks' Life*, p. 89.

(14) Page 358. *Grignon Ambassades en Angleterre*.

(15) Page 362. It was reported that Hammond attempted not only to examine the King's papers, but to search his pockets; but his Majesty resisted, and gave him a box on the ear, and it is said he struck the King again. *Clarendon State Papers*, Vol. IV. App. p. 46. There may, perhaps, be reason to doubt

this story, but it is certain that the King was treated in a very rigorous disrespectful manner.

(16) Page 362. *Grignon, Ambassades en Angleterre.*

(17) Page 371. As early as October, 1647, two hundred and fifty Members were wanting. The plan to fine each of the absentees twenty pounds fell to the ground ; it was judged better afterwards to exclude them. *Parl. Hist.* Vol. III. p. 183. *Journ. Comm.* Vol. V. p. 348.

(18) Page 371. The valuations were, besides, made in such a manner, that when the Parliament granted a sum to any one, as a reward, he generally received twice or thrice as much.

(19) Page 377. *Acts of Parl.* Vol. VI. p. 331. The clergy called the new Covenant " the unlawful engagement."

(20) Page 378. *Negociations de Monsieur de Montreuil.*

(21) Page 385. The London petition of the 8th of August demands free negociations with the King, an armistice, the disbanding the army, the observing of the self-signing bill, &c. *Whitelocke*, 322.

(22) Page 385. " It is astonishing (writes Grignon) that Cromwell was so bold with 8000 men to attack the Scotch army of 22,000, and that he could gain such a victory." *Grignon, Ambassades en Angleterre. Clarendon*, Vol. IX. p. 165.

(23) Page 386. Our space will not permit us to enter into the extent of the negociations, and the parliamentary debates : they relate chiefly to the points already so often mentioned, the militia, the constitution of the Church, amnesty, &c. *Parl. Hist.* Vol. III. p. 1000—1066 ; *Journals of the Lords*, Vol. X. p. 571 ; *Journals of the Commons*, Vol. VI. p. 62 ; *Laing*, Vol. III. p. 407 ; *Brodie*, Vol. IV. p. 145 ; *Hutchinson*, Vol. II. p. 181.

(24) Page 386. According to *Bowles*, in *Kenn's Life*, the hair was found, on the opening of the coffin, to be not grey, but brown.

(25) Page 388. *Parl. Hist.* Vol. III. p. 1077—1127. *Grignon, Ambassades.*

(26) Page 389. "The army seems to care little about the conclusion or non-conclusion of a treaty, being disposed to oppose everything that does not coincide with its views and ideas." *Grignon, Ambassades en Angleterre*.

(27) Page 391. *Grignon, Ambassades*.

(28) Page 400. *Dugdale*, p. 366. For further proofs of Cromwell's constant hypocrisy, see *Grignon, Ambassades*. *Brodie*, Vol. IV. p. 183, endeavours to clear him from these accusations; but there remains enough that is unquestionable. *Burnet*, Vol. I. p. 127, says "The enthusiast and the hypocrite were so mixed up in his character that it is difficult to say which predominated."

(29) Page 400. There were only 46 Members present, who had all sworn to the King. *Salmon*, p. 265.

(30) Page 402. The Queen lived at this time, during the disturbances, at Paris, in a state of great distress. *Motteville*, XXXVIII. p. 195; *Clarendon*, Vol. IX. p. 282. The most infamous accusations were brought against her, in furious party pamphlets, as in our own time, against Marie Antoinette. *Catastrophe of the House of Stuart, in the History of James I.* Vol. II. p. 344—379.

(31) Page 402. Cromwell entered into long discussions with the Scotch, and proved to them, from Mariana, Buchanan, and especially from the Covenant, that the King, as faithless, as the defender of a false religion, malicious, an enemy to the good cause, &c. ought to be punished much rather and more severely than any inferior person. *Burnet*, Vol. I. p. 64.

(32) Page 403. *Grignon, Ambassades en Angleterre*.

(33) Page 404. *Eikon*, 28. The author of this book appears, from the most accurate inquiries, not to have been the King, but Bishop Gauden; who, however, certainly made use of genuine papers and memoranda of Charles, among which we reckon those above quoted; accordingly, the Earl of Lothian told Burnet that he had heard many of the sentiments from the King's own mouth, exactly as they are in the book. *Bowles*,

in *Kenn's Life*. Vol. I. p. 122—217, takes the same view. Milton's *Iconoclastes* is written in an entirely republican spirit, where the King is considered as a subordinate officer, who must do and approve of everything that the people require of him. *Brodie*, Vol. IV. p. 122 : *Laing*, Vol. III. 432.

(34) Page 407. Some feigned sickness ; others left London. No compulsion was used towards those who kept away. *Whitelocke*, p. 358, 359.

(35) Page 410. Proclamation was made by sound of trumpet that those should come forward who had anything to alledge against Charles Stuart. *Whitelocke*, p. 362 ; *Dugdale*, p. 369.

(36) Page 410. *Herbert*, p. 113 ; *Warwick*, p. 291 ; *Brodie*, Vol. X. p. 192. On the 16th of December, Parliament granted £10 a day for the King and his servants. *Journals of the Commons*, Vol. VI. p. 98.

(37) Page 411. At the last sitting, Bradshaw was not dressed in black, but in scarlet. *Fellows's Historical Sketches ; explanation of the first print*.

(38) Page 413. *Nolle*, Vol. I. p. 144 ; *Salmon*, p. 274 ; *Guizot*, Vol. II. p. 414. Milton, too, speaks coldly and unjustly of Charles's death : " Veluti poetæ aut histriones deterimi plausem in ipso exitio ambitioissime captare." *Israeli*, Vol. IV. p. 460.

(39) Page 413. *Wiquefort*, *Histoire des Provinces Unies*, Vol. I. p. 99 ; *Raumer's Letters*, Vol. II. p. 442. Mazarin, the Spanish Ambassador, and Duke Leopold of Austria, purchased Charles's collection of works of art, by which Cromwell obtained money. Some persons said, indeed, they meant to preserve what they had purchased for the right owner ; but, in fact, they kept all for themselves. *Clarendon*, Vol. IX. p. 317.

(40) Page 413. Many clergymen likewise presented, but in vain, a serious remonstrance to Fairfax. *Theat. Europ.* Vol. VI. p. 849.

(41) Page 414. *Carte*, *Letters*, Vol. I. p. 212. *Herbert*, p. 143. Fairfax himself is said to have feared that he should

be accused and arrested. *Clarendon State Papers*, Vol. II. App. 43.

(42) Page 416. His enemies directed their empirics to search for such symptoms as might disgrace his person, or his posterity. But herein they were prevented by an honest intruder, who gave a true account of his sound and excellent temperament. *Fellones*, p. 167.

(43) Page 416. It was imagined by many that the sentence was not meant in earnest; that it was only designed to oblige the King to consent through fear. *Burnet*, Vol. I. p. 72.

(44) Page 416. *Raumer's Letters*, Vol. II. p. 446; *Hutchinson*, Vol. II. p. 184; *Vaughan*, Vol. II. p. 189.

(45) Page 416. The execution of Mary Stuart, which is sometimes referred to, is not a case in point.

CHAPTER V.

From the Death of Charles the First, to the Restoration of
Charles the Second.

[1649—1660.]

As in certain times that which already exists is honored to excess, and every deviation from it stigmatised as wickedness and sin ; so in other periods everything appears to be injurious and a hindrance, which forms a restraint on the career and activity of man. Liberty and right are seen only where the resolution and unlimited will of the individual decides. Since the institutions, mostly derived from antiquity, had been overturned and extirpated in England ; since nothing was any longer considered as necessary, or as an object of sacred veneration, the happy possibility was come, in the opinion of the intoxicated victors, to rebuild everything without exception, according to the best plan. But while everyone, without compass or polar star, looked upon his own pleasure as the only possibility which deserved to be converted into reality, a countless multitude of projects for Church and State were produced, which contradicted each other, and manifested a Babel-like confusion of opinions and principles.

Those alone appeared to hold fast to a sacred law who attempted to deduce the limits of liberty and sovereignty, as well as the forms of Church and State, from the Bible. But, not to mention that they looked upon the Jewish history in a very absurd manner as an infallible model, the Catholics, Episcopalians, Puritans, and Levellers contrived so to connect revealed wisdom with their prejudices and human notions that the great commandment of Christian charity was entirely out of the question, while they quoted and misinterpreted passages from the Scriptures to justify every act of presumption and violence. Thus if, on one hand, the governing party proved that heretics should be burnt and Kings beheaded, those who were in servitude and oppressed exclaimed that the earth was a common possession ; that every one had a right to food, clothing, and enjoyment ; and that for a man to recognise his equal as a superior, or to pay tithes and taxes, was contrary to the sacred laws of nature.

Opposed to these anarchists, who looked forward for a restoration of Paradise in the total dissolution of the state, and of the relations of civil society, were the ultra-royalists, who deduced all sufferings and evils from personal pretensions and social rights, and desired to abolish them by the exercise of unlimited royal authority. The former did not see that their self-sufficiency must end in lamentable feebleness ; the latter that a golden age is not to be produced

with a leaden sceptre, and that all government is only of value when it is a work of the highest freedom, for freemen, not for slaves.

Between these two extreme untenable points of view and projects, there were other intermediate ones which were more adapted to the actual state of things. Thus some wished the royal authority to be transferred to Charles the Second, under the conditions which had been proposed to his father; for all that had been alleged against him was not applicable to his son. Others proposed to pass him over, because he had borne arms against the Parliament, and to give the English crown by election to his younger brother. Others disapproved of elections and deviations from the strict line of succession. But the republicans were more powerful than the several classes and gradations of the royalists; they affirmed, "Monarchy, as experience has sufficiently proved, is in itself objectionable, and no restraint upon it is sufficient. It would be foolish at the present favorable moment to go back to the ancient forms, or by election to place the rights of the Stuarts in a new light, or to doubt of the practicability of republican plans, since the United Netherlands have set so happy an example." They forgot that the Netherlands were in a very different situation from England.

The production of these and other views was promoted, not only by theoretical arguments and practical examples, but likewise by fear, presump-

tion, vanity, and selfishness. The final discussion, however, was with the Parliament, or rather with the army. Already, on the 20th of January, that is before the execution of Charles, it proposed an agreement upon the future constitution and government, in which it demanded the speedy dissolution of the Parliament; a new regulation of the representation; elections every two years, mostly according to the population; the exclusion of all the adversaries of the Parliament; the election by it of the administrative council of state; religious liberty (but without the re-establishment of popery and the bishops), the abolition of the excise, a change in many laws, &c. &c. The Parliament returned hearty thanks to his excellency the General and the army, for their indefatigable, great, and excellent services; and resolved that this document should be immediately printed, to show the affection and unanimity that prevailed between the army and the Parliament. This unanimity, or rather licentiousness, did not become fully evident till the head of him had fallen who had latterly been designated as the only obstacle to everything good. Several of his friends (such as Lords Hamilton, Holland, and Capel) were, as well as the King, sentenced to death, and their melancholy fate was scarcely noticed in this time of extreme excitement. On the very day of Charles's death it was declared to be high treason to acknowledge any person whatever as King of England; and immediately

afterwards every Member was excluded from Parliament who had voted for a treaty with the King, or who had latterly not approved of everything that was done, or had withdrawn himself. The number of Members was reduced from 300 to about 70, of whom it often happened that not one half appeared in the house. On the 26th of February, 1649, the conquerors decided, by a majority of 44 to 29, "The House of Lords is useless and dangerous, and is therefore abolished;" and on the 7th of March, it was further decided, "Royalty is useless, burdensome, and dangerous for England, and contrary to the freedom as well as to the safety and interests of the people. A council of state, consisting of 49 Members, undertakes the administration of public affairs." In a declaration of the 21st of March, the reasons for the introduction of a republic were set forth. "The office of the King," says this declaration, "was established by an agreement of the people, and filled by election. It was very seldom that any one performed his duties, whereas the greater number have been the cause of much misery and bloodshed. Charles I., in particular, was justly condemned and executed for treachery, murder, and other odious crimes; his sons, as nothing better can be expected from them, and the eldest has already borne arms against the Parliament, are declared unworthy of the throne, and all the inhabitants of the kingdom are released from their oaths and duties to them. Rome, Venice, Switzer-

land, the Netherlands, have proved to what a height of prosperity republics rise, and that wealth, liberty, and justice there go hand in hand. The great are there no longer able to oppress the poor; ambition vanishes; disputes about succession, and civil wars, are prevented; and liberty of conscience, persons, and property is untouched. The pure form of a republic, and the public safety, made it necessary to abolish the Upper House, with its objections, which only caused delay: but the Lords may be chosen Members of the House of Commons. He who will not take an oath to a constitution without a King and Upper House is incapable of holding any office in the church and state. The new great seal has on one side the map of England and Ireland, and on the reverse, bears the inscription, "In the first year of freedom, by God's blessing restored."

It was then declared that God had wonderfully revealed himself, and destroyed in England tyranny, superstition, and popery; for which all owed him gratitude and obedience. But, instead of that, they were guilty of the most crying sins and blasphemy. That such a state of things might have an end, and the great enterprise further prosper, that all dissensions might be reconciled in brotherly love, and all conspiracies of wicked people might cease, a day of fasting and prayer was ordered. This external means, however, did not produce the intended result; on the contrary, the discontent in

England increased, and open war ensued with Scotland and Ireland. We will first speak of the latter, and afterwards follow the course of affairs in the kingdom without interruption.

The peace concluded with the Irish, in July, 1646, by the Marquis of Ormond, could not recover the cause of the King; who, after being made prisoner by the Scotch, suffered himself to be induced to resume, in an equivocal manner, all the concessions he had made. (¹) These concessions were equally unsatisfactory to the Nuncio Renuncini and to his violent party; so that not only the dispute between the Protestants and Catholics continued, but differences broke out among the latter. The only points on which they agreed was in resisting the tyrannical commands of the English Parliament. After Fairfax had lost all importance, and fallen into the background, Cromwell was commissioned, on the 28th of March, 1649, to lead an army to Ireland. The soldiers, however, had as little inclination to quit England as they had the year before; on which account very numerous prayers and spiritual preparations were employed, in order to persuade them to submit to the decision that the matter should be determined by drawing lots. Cromwell's ability in moulding the army according to his wishes and to suit his own objects, was still more effectual; and most of all probably; the high pay offered, after the Parliament had borrowed in the summer of 1649

£150,000, at eight per cent. for the Irish campaign. In September, the army sailed to Ireland, and suffered severely by sickness ; but on the 17th of the same month, took Drogheda by storm ; on which occasion, Cromwell, contrary to his promise, caused, not only the enemy's soldiers, but all the inhabitants (above 3500,) to be massacred, with such savage cruelty, that, according to his own account, only thirty were left alive, who were sent to the West Indian Islands. (*) In a similar manner, Ireton subsequently caused three thousand persons to be put to the sword, at the taking of Cashel, and dragged the priests who were to be murdered, even from the altars. All this, they said, was done by the grace of God, and served to hasten the subjection of the enemy, and to prevent bloodshed. No royal tyranny was equal to this of the republicans. They spared neither women, nor old men, nor children ; nay, many considered it as wrong not entirely to extirpate these new Canaanites, according to God's command.

Cromwell had purposely taken the most fanatic part of the army to Ireland, in order to get rid of it. The conquerors gradually obtained settlements, and even riches, in this country, while their comrades in England by degrees lost all importance, and sank into poverty and contempt. This establishment of the fanatics led to the continuance of the marked opposition between the Protestants and Catholics. All the clergy of the latter were expelled, and all divine

worship prohibited under the severest penalties, even death, so that they could only venture to assemble secretly in the mountains and forests. At last, all the Irish were driven by force across the Shannon, and their property distributed, given, or sold for a mere nothing, to the victorious soldiers, or to orthodox adventurers. For this immense loss, only very trifling indemnities in unfruitful land were allotted to those who had been expelled; and when they subsequently petitioned Charles II. to restore them to their rights, self-interested persons found means to have an answer returned that the arrangements which had been made must remain unaltered, as they had renounced their property, and accepted from the rebels the confirmation of their new possessions.

The execution of the King made the deepest impression upon all parties in Scotland; but the parties were far from agreeing upon the measures that it would be proper to adopt. The Marquis of Montrose, who had returned from France, and his friends, wished for the restoration of Charles II. without conditions; (*) but most of the Presbyterians desired it on very strict term. Lastly, Argyle, with his party, would have willingly joined republican England, and have acted Cromwell's part in Scotland. Montrose carried on, for only a short time, with heroic courage, but with culpable severity and cruelty, the war which he had renewed. On the 27th of April, 1650, he was taken prisoner, and brought into

the capital, bound in a cart. To the reproaches of the Parliament he boldly answered, "I forsook the Covenant when you disgraced yourselves by rebellion; I took up arms by order of the King, my master; I shed no blood, except in battle; and my object in the present contest was to hasten the conclusion of a treaty." Notwithstanding this defence, the sentence was as follows: "Montrose shall be hanged on a gallows thirty feet high, where he is to remain suspended for three hours; his head shall be set on Edinburgh Tollbooth; his arms and legs sent to four several towns, and his body buried under the gallows." "I wish," exclaimed Montrose, "that I had so many limbs that they might testify to all Christendom my attachment to the King." With a bold step, and richly dressed, he ascended the scaffold on the 16th of May, 1650. When they hung round his neck, the history of his life and his public declarations, he said, "I am prouder of this history, than of the order of the garter." After ending his prayer, he asked whether they intended to put any further insult upon him, and suffered death with composure and courage.

"This cruelty," says Burnet, "justly excited, in all well-disposed minds, detestation of those who could treat such a man, in his misfortunes, in such a manner. The clergy made themselves hated by this triumph, and Montrose was the more lamented and pitied. With his fall, his party was entirely broken

up, and Charles's hope of a restoration without conditions was entirely destroyed. He had no resource left but again to consider the proposals of the Presbyterian party, which he had hitherto rejected. Immediately after the execution of Charles I., the Scotch had, on the 5th of February, 1649, proclaimed Charles II. as King; a declaration which the English Parliament called presumptuous, provoking war, and scandalous; and designated every one as a traitor who should accede to or support it. At present, however, there was neither time nor means to interfere in the affairs of Scotland, and it was thought, too, that internal obstacles would of themselves prevent any further revolutions. The King was required to sign the Covenant, and swear that he would do his utmost to enforce it in his kingdoms; to confirm all the laws respecting civil and ecclesiastical affairs, which had been hitherto passed; always to sanction the future proposals of the Parliament and the General Assembly, and to remove from his person all wicked and evil-minded men. The friends of Charles did not agree in their opinion of these proposals. Some observed that they were contrary to right, truth, wisdom, and conscience; aimed at an intolerable, nay, impracticable, tyranny; and had been supported by many only to gain time till the arrival of an English army. On the other hand, it could not be denied that Scotland was the only point where Charles could have any hope of obtain-

ing a firm footing ; besides, he was burdened with many debts, his presence in France and Holland was unwelcome, and he by no means lived in peace and concord with his mother. (4).

Accordingly, after the death of Montrose, he resolved to accept the terms that were offered him. He was received in Scotland with the greatest external honors, and such a show of humility that even clergymen knelt when they spoke to him ; but then he was obliged to attend their prayers and sermons for hours together, was kept in tutelage, was not allowed to laugh or to take a walk on Sunday, was compelled to hear the most vehement abuse of the impiousness of his parents, nay, of his own wickedness, or to subscribe public declarations of a similar nature, and celebrate a fast-day which was appointed on account of his own and his father's sins. However tiresome and disagreeable all this necessarily was to the King, and though a truly great character would never have patiently yielded to it, he thought himself obliged to give way to the clergy, who ruled everything, and at that time, with horrid zeal, caused numbers of witches to be burned, (5) and impiously declared that if God did not deliver them from all sects he should no longer be their God. On the other hand, they prophecied to the King that, after adopting their doctrines and ordinances, he would easily triumph over a blasphemous general and a heretical army.

Had not other obstacles occurred, a breach with England would have taken place sooner ; but Fairfax opposed an offensive war against Scotland, and, when this opinion was not adopted, resigned his post, though it was represented to him that he thereby transferred all the power to the hands of Cromwell, (7) and so it turned out ; for the Parliament, on the 25th of June, 1650, unanimously gave him the conduct of the war against Scotland. (8) While Ireton took the chief command in Ireland, Leslie was nominally at the head of the Scotch army ; but in truth the clergy had here a very prejudicial influence. They removed all those who did not appear to them to be sufficiently orthodox or holy, (among these were eighty officers,) rejecting the former friends of the King ; disdained to obtain great advantages on a Sunday ; and affirmed, on the contrary, that, according to a revelation, it was advisable to venture a battle on the 3rd of September, 1650, near Dunbar. (9) It was gained by Cromwell, the Scotch losing three thousand killed and nine thousand prisoners, in consequence of their having foolishly quitted their highly advantageous position. Cromwell, on his part, according to the theological spirit of the times, represented his victory as an evident judgment of God ; while the Puritan clergy replied (10) that God only meant to try them, though he indeed suffered himself the greatest injury by permitting the elect to be thus destroyed.

By judicious measures, the Scotch, however, repaired their losses, and gave the chief command to the King, who, in the hope of meeting with numerous adherents, advanced, with great boldness, into England, but was defeated at Worcester, on the anniversary of the battle of Dunbar. After this, he wandered about, for forty-five days, in various disguises, and amidst the greatest dangers; experienced from more than fifty different persons the greatest fidelity and secrecy, and at length, reached the French coast, on the 17th of October. In this country, however, he fared so ill, that he himself used to say, "When I and my companions left a room, the owners looked about to see if we had stolen anything."

Meantime, Bradshaw and the murderers of the King, seeing the progress which Charles at first made, conceived great doubts of Cromwell's abilities and fidelity, (which became known to him, and excited his ambition,) and induced the Parliament to offer a large reward for the King's head. After the victory at Worcester, Cromwell sold many Scotch prisoners as slaves to the Colonies, treated the country as a conquest, and tolerated no oaths or covenants but those prescribed in Westminster. The clergy, who had hitherto been all-powerful, assembled, notwithstanding, in the church at Aberdeen, to pass resolutions, Lieutenant-Colonel Cotterel entered, and declared that if they did not voluntarily follow him, he would turn them out. Accompanied by infantry and

cavalry, they were paraded in mockery through all the streets, and notice given them to quit the city on pain of imprisonment, and never to assemble in greater numbers than three at a time.

In the sequel, thirty Scotch deputies were received into the English Parliament; the proportion of taxes to be paid by both kingdoms was regulated; the tolls on the frontiers, as well as the jurisdictions of the nobles, were abolished, and the chief command given to Monk, who enforced it with great rigour. Baillie, who attended the first assemblies relative to the King's liturgy, and afterwards that at Westminster, and who had participated, if not in all, yet in most of the brilliant hopes that were entertained, states, under the date of 1655, "All Scotland is tranquil, but in a very lamentable situation. Many nobles and other distinguished men are ruined, or on the eve of being so, by arrest, exile, confiscations, fines, and great debts, which originated in the time of the former troubles. The citizens are oppressed by the burden of an English army; everywhere there is a want of money, of trade, and administration of justice. Our sheriffs and chief judges understand nothing of government and legislation, for most of them are English soldiers. After we had been for a long time looked upon as not forming a nation, a supreme council was at length to undertake the government, but it consists of six or seven English officers, and two of our complaisant countrymen;

while the expenditure increases, and the revenue diminishes ; while everybody is oppressed by poverty, a large army is distributed all over the country, and continually threatens us." Bennet, on the other hand, acknowledges that in individual cases justice was done, and the army punctually paid ; but, not to mention that tyrants have generally respected private rights, in order the more easily to destroy public rights with the aid of the soldiery, it is certain that enormous taxes were raised in Scotland, penalties levied, and estates confiscated.

Thus the right of the strongest alone prevailed in Scotland and Ireland. Let us now consider the course of events in England. At the moment that the House of Commons, after setting aside the King and the House of Lords, was rejoicing in its newly acquired omnipotence, it had already given itself a master in the Council of State of forty-one members, which, in its turn, was in the end governed by the leaders of the army. Such an unlimited mode of government was as displeasing to the advocates of the sovereignty of the people as to the old royalists, and objections and remonstrances rose to such a height that the severest measures were thought necessary to repress them. Thus Reynoldson, the Lord Mayor of London, was deprived of his office on the 2nd of April, 1649, sent to the Tower, and fined £2,000, because he would not give public notice of the abolition of royalty, since it was contrary to his oath.

In the same manner, a Mr. Henderson was imprisoned for saying, that "Instead of a lawful King, a stinking committee governed." It was therefore ordered that no clergyman should touch upon state affairs in his prayers or sermons, and that every one who called the present government illegal, or who acted in favour of Charles II., should be liable to the penalty of high treason.

For similar reasons a new law was passed on the 20th of September, 1649, of the following tenor: "No one dare print anything till it has been submitted to the censorship, and all existing privileges in this respect shall cease; (¹¹) houses may be searched for prohibited books and printing presses; the post shall forward only innocent writings; and all places where printing offices are allowed are strictly designated. Printers and publishers shall give security, and state their names; the same applies to authors; no one may engage a printer without permission, nor sell foreign books till they have been strictly examined. Hawkers of books and ballad-singers shall be imprisoned and whipt."

All these measures could not daunt the bold Levelers, who, when they attempted positively to interfere, often fell, it must be owned, into wild anarchical fancies; but in this contest with the new military tyranny were in the main right, though they violated many forms and neglected decorum. Thus the intelligent but eccentric Colonel John Lilburne

printed, among other observations, (¹²) "Charles Stuart would be preferable to so many burdens, taxes, billeting soldiers, and such tyrannical officious rulers. Under the false Saint Oliver, or some other raised from the army, we shall make war upon each other from one year's end to another, cut our own throats, and by such an arbitrary plundering government sink deeper and deeper into slavery. Therefore, take courage before it is too late, and adopt the means of freeing yourselves of all these evils and disorders. The present Parliament is no Parliament, but a band of presumptuous tyrants, and destroyers of our laws and liberties. Most of the members of the new Council of State ought to be sent to the Tower, or to Tyburn: they fought against the King and Parliament, extirpated all lawful magistrates, can be compared only to robbers and murderers, and have no more real right over us than Algerine pirates. The King never exercised such tyranny, and yet he lost his head through Saint Oliver. The latter and his Parliament rooted up the House of Lords; he and his officers treated the Parliament worse than ever any schoolmaster treated his schoolboys. I have abandoned Oliver and his Council, because they are a parcel of rogues, worse than the band of Korah and John of Leyden." For these and similar expressions, Lilburne was accused of high treason, on the 24th of October, 1649; but extreme interest was taken in his fate, and he was acquitted, especially in

consideration of the doubts of the legitimacy of the present rulers. When this sentence was made known to the innumerable multitude of spectators, their acclamations continued for above half an hour. Lilburne, however, was carried back to the Tower, and not released till the 8th of November, because the interest taken in him by the public increased and became more and more serious. In the sequel Lilburne was accused a second time, and acquitted; but, notwithstanding, imprisoned by Cromwell's order. (¹³)

After his success in the wars in Ireland and Scotland, his importance increased to such a degree that, on his return to London, many Members of Parliament and a great number of persons of all ranks went some miles to meet and welcome him. The Parliament also settled on him, by degrees, an annual revenue of £6,500 out of the confiscated estates, hoping either to bind him for ever to their interests or to place his ingratitude in a glaring light. Cromwell politely returned thanks; whereas Ireton, who entertained more republican sentiments, refused a similar settlement of £2000, saying that the Parliament ought not to be so prodigal of the public money, but rather pay the debts that had been contracted.

All parties considered the present state of things as merely provisional and unsatisfactory; but what course was to be taken, what forms should be established, and what persons should be employed, on

these points, as we have said, there was an extraordinary diversity of opinions, and if some expressed their's too loudly, others, for many reasons, were the more careful to conceal them. Already, on the 10th of October, 1651, Cromwell held a consultation with many distinguished persons on the future constitution of the kingdom, on which all the Officers (however monarchically they acted in their own regiments,) declared for a pure republic; some wished to send for the first, second, or third son of Charles; and the lawyers proposed to give to the republic a monarchical addition. Cromwell acceded to the last proposal; but, as nobody declared for *him*, he let the matter drop, and contented himself with having made himself better acquainted with the views of different persons. In the sequel he spoke more openly to Whitelocke, who observed, perhaps not to his satisfaction, that the great question of a republic or a monarchy must not be converted into a mere question on the preference to be given to one of two families, by which all the republicans as well as the adherents of the Stuarts would be equally offended.

Meanwhile the difference between the Parliament and the army became more and more serious. The Parliament had it in contemplation to disband the army, and thereby to destroy Cromwell's influence; whereas, the army contrived to turn to its own advantage all the complaints brought against the

Parliament and the contempt into which it had fallen.

The Parliament, it was alleged, levies enormous taxes, and yet is in arrear in all payments, especially that of the army; it impedes the administration of justice, arbitrarily punishes, and confiscates property, disregards all public rights, arrogates to itself all honours, and neglects all duties, tyrannically endeavours to perpetuate its power, and entirely to do away with the supreme power of the people. In fact, the Lower House, after it had violently put away the King and the Upper House, and lost five-sixths of its Members in a similar manner, could by no means be considered as a lawful government. It was, in truth, in the position where might alone decides. In false confidence in its power, the Parliament not only paid no regard to a remonstrance of the army, which required the remedy of those evils, but severely reprimanded its interference in public affairs.

In this state of things, and as the Parliament would not dissolve itself, but seemed inclined to prolong its power indefinitely, Cromwell, being certain of the army, resolved to bring about a decision without delay. On the 19th of April, 1653, he placed about three hundred soldiers round the House, then went in for some time, and listened quietly to the debates. He then said to General Harrison, who stood next to him, "Now it is time." On which the latter replied,

admonishingly, "The thing is so great and dangerous that it needs the maturest consideration." "You are right," answered Cromwell, and remained still about a quarter of an hour. But when a vote was to be taken, on the prolongation of the sitting, he rose, and, beginning in very moderate terms, gradually proceeded to the most violent reproaches. "Your speech," interrupted Wentworth, "is unparliamentary, and doubly offensive as it comes from a man who is the servant of the Parliament, whom it has favoured and raised to his present elevation." Cromwell, in a rage, now put on his hat, and exclaimed, "I will put an end to your babbling!—You are no longer a Parliament!—Let the soldiers enter!" "Your conduct," said Vane, "is contrary to propriety and justice." "Oh! Sir Harry Vane! Sir Harry Vane!" replied Cromwell, mocking him, "the Lord deliver me from Sir Harry Vane! ("4) He might have prevented all this; but he is a juggler without any honesty!" Some Members attempting to speak, Cromwell imperiously interfered, called several of them in his passion drunkards, extortioners, &c. They were then turned out by the soldiers. Seeing the Speaker's mace, he ordered a soldier to "Take away that bauble;" and, having previously commanded the soldiers to clear the House, desired that the doors should be locked, put the key in his pocket, and retired to his lodgings in Whitehall.

Thus Cromwell, a servant and tool of the Parliament, destroyed without resistance an assembly

which by its actions and its crimes appears till that time unparalleled in modern history. Nemesis had overtaken all, the King, the Lords, the Royalists, the Bishops, the Presbyterians, the Independents, the Levellers; and, in the general ruin, amidst the general confusion, the man rose despotically who alone had the energy and resolution equally to rule all.

Cromwell issued a public declaration, in justification of his conduct, of which the following is the substance: "After God had so manifested his power in the war against Scotland and Ireland, and England was entirely purified, the Parliament had sufficient leisure and opportunity to prepare for the people the means to reap the fruits of so much labour and such sacrifices of property and blood: it might have established religious and civil liberty, according to the duties which it had solemnly undertaken. Now, hardly anything being done in this respect, many persons desirous of relief had applied to the army, which, however, being unwilling to interfere in civil affairs, requested his Excellency and those Officers who were Members of Parliament to urge there the speedy adoption of the necessary measures. But both these entreaties and the humble remonstrances that were presented had no effect whatever; the evil-minded party retained the superiority, and it became evident to the army, that the jealousy of some and the supineness or ambition of other Members of Parliament would never suffer the desired object to be obtained.

Now as the people and the army sought the Lord, and the Lord in his might is with the army, it was first deliberated in conjunction with twenty Members of Parliament what should be done. Meantime the Parliament proceeded so rapidly in its absurd course, that we, contrary to our ideas and wishes, were compelled to put an end to it."

In the same manner, without any regard to the opposition of Bradshaw and others, Cromwell dissolved the Council of State, and received from almost every part of England (so weary were people of their late rulers) addresses of thanks for his bold action. The persons more immediately connected with him were not so unanimous in their opinions respecting him and the measures it might be necessary to adopt: Lambert, for instance, proposed to appoint ten regents; Harrison seventy, after the number of the Interpreters and of the Sanhedrim; Ludlow blamed Harrison for having assisted in dissolving the Parliament, to which the other replied, that "Cromwell acted upon more elevated principles than those of civil liberty; for, according to Daniel, the saints were to take and possess the kingdom." "The General," said Harrison, on another occasion, "only seeks to open the road to the kingdom of Jesus." "If that is the case," answered Major Streater, "if Jesus does not soon come, the place will be already filled." "I wish," said Ludlow to Cromwell, "that the people should be governed with their own

consent ;" to which he replied, " And where shall we find it ? in the party of the Bishops, of the Priests, of the Independents, the Levellers, or the Baptists ?" Undoubtedly it was the chief object of each of these parties to subdue or to gain the others, or to counterbalance each other ; and in this respect it was that Cromwell displayed the greatest cunning and dexterity. He encouraged the Royalists to hope that if they did but sacrifice the expelled Royal Family, they would easily acquire or recover rank, offices, and privileges. He flattered the Presbyterians with the expectation of a grant of the tithes, and of a constitution of the Church conformable to their wishes ; with the Independents he lamented the selfishness and dilatory conduct of the Parliament, and the intolerance of the Presbyterians. He quieted the Lawyers by holding out that no greater innovations would be made ; he agreed with the Republicans with respect to their plans of a constitution ; in the Catholics he had excited a hope that the existing laws against them would be modified. As every party hoped to gain through him, and he held out a prospect to every one, so he had also at hand something to frighten each. The restoration of Royalty, of Bishops, and of Presbyterianism, or the establishment of a republic, or the anarchy of the Levellers, &c.

In spite of all Cromwell's dexterity, words, hopes, and fears of this kind could not suffice in the long

run, but it was necessary to have recourse to something more generally inviting and substantial. To call forth the activity of the sovereignty of the people, as the doctrines of the day required, was contrary to the disposition and the object of Cromwell. Nor was it possible, after such obstinate combats for greater republican liberty, entirely to do away with Parliamentary forms. For this reason, Cromwell took a middle course, such as it was alledged the circumstances of the moment required ; that is, he did not allow the people even the ancient liberty of election, much less one more extensive ; but nominated by his own authority, and by the advice of his Officers, about one hundred and sixty Members of his new Parliament. They were to meet on the 4th of July, and to nominate their successors for a year. The persons chosen were by no means, as some affirm, men without property or education, though the extravagant, visionary, and indefinite notions of those times were often manifested in a strange or violent manner. The doubt that was most likely to suggest itself, how Cromwell and the army, without any right whatever, could convoke them and give them the supreme power ; seems never to have troubled any of them.

On the 4th of July, 1653, Cromwell opened the Parliament, in the presence of a great number of Officers, with a speech which was diffuse, irregular, and full of quotations from the Bible ; but we can see

from it what he desired, and what he was able to do. A whole day was employed, according to the expression of the times, in seeking the Lord, and prayers were regularly begun as soon as twelve Members were assembled, and continued till there was a full House. This predilection for external forms of piety induced many to add whole phrases to their names. (¹⁵) Thus the Parliament was called, after a dealer in leather named Praise God Barebones, the Barebones Parliament; nay, his brother was named, If Christ had not died for me, I should have been damned: the people, however, called him Damned Barebones.

Such waste of time, such strange fancies, did not however hinder the Parliament from turning its attention to public affairs; in which wisdom and folly, theoretical whims and practical experiments, were singularly mingled. Thus, for instance, it was proposed strictly to enquire into the expenditure of the public money, to reduce the army, to comprise the innumerable and confused laws in one small volume, to abolish tithes, to sell the church lands, to new model and even to abolish schools and universities, partly out of hatred to learning, &c. These and other proposals were very disagreeable to Cromwell; and therefore, to put an end to them at once, it was moved in Parliament on the 12th of December, to dissolve it, and return to Cromwell the full powers they had received. The great majority assented to this, and proceeded to Whitehall, where Cromwell

affected to be highly astonished at the resolution, as if he had had no knowledge or even notion of it. Thirty Members who obstinately resisted were, however, dispersed at the same time by soldiers ; and it is said that Colonel White asked them, " What they were doing in the House of Commons ?" On their answering " We are seeking the Lord ;" he replied, " Then you may go somewhere else, for I know that the Lord has not been here for some years."

So ended Cromwell's first Parliament, who (as Whitelock relates,) with his Officers now sought the Lord for several days, and inquired how the great burden of governing all England, Scotland, and Ireland, the Army, and the Fleet, might be borne. For this purpose they drew up the following constitution : " The legislative power shall be in the Lord Protector and the Parliament ; the administration of Government in a Council, which shall not consist of more than twenty-one nor fewer than fourteen Members. A Parliament shall be called every three years, and not dissolved till it has set five months : it shall consist of four hundred Members for England, thirty for Scotland, and thirty for Ireland. Persons possessing £200 have the right of voting ; all persons of unblemished character, pious, of good conversation, and twenty-one years of age, are eligible. All who by their advice or assistance took part in the contest against the Parliament, all Catholics, and favourers of the insurrection in Ireland, are excluded from the right of voting or sitting

in Parliament. Military affairs, so long as the Parliament is sitting, to be directed by that and the Protector; and in the intervals by the Protector and his Council. The same rule applies to foreign affairs. Bills offered to the Protector by the Parliament, if not confirmed by him in twenty days, are to be laws, without his assent, if they are not contrary to the new constitution. The Army, and the sum allotted to its support, cannot be altered without the consent of the Protector. Taxes are to be imposed by the Parliament; but the Protector on occasions of urgency, and with the consent of the majority of his Council, may raise money. The domains and crown lands are assigned to him and his successors; but may not be alienated without the consent of Parliament. Henceforth there shall be religious toleration, with the exclusion of Catholics, Episcopalians, and those who in the name of Christ teach and practice licentiousness. Justice is administered in the name of the Protector, who is appointed for life; he confers offices and dignities, and has the right of pardon, except in cases of murder and treason. On the death of the Protector, the Privy Council appoints his successor, with the observance of certain formalities. To fill up future vacancies in the Council, the Parliament is to select six persons, from whom the Privy Council selects two; one of whom is appointed by the Protector. The Protector, as well as the Counsellors and persons holding offices, are to take the oath to the new constitution."

On the 16th of December, 1653, Cromwell went in state from Whitehall to Westminster, at first pretended to refuse the high dignity of Protector, then took the oath, received the ermine cloak, a sword, purse, and seal, as emblems of his new power, and returned to his palace, as some say, amidst the loud acclamations of the people. ⁽¹⁶⁾

On the 8th of February, the city of London gave him a grand entertainment; and he probably thought himself that by the new constitution and his efforts he should put an end to all the former complaints, and if not gain the minds of the people, yet put parties to silence. But only ten days after that entertainment, many persons were arrested for a conspiracy against the Protector and his new constitution, and manifold reproaches uttered, or circulated in pamphlets. "It is the height of presumption," said many, "for persons without any right whatever to attempt to force a constitution upon three kingdoms, according to their foolish ideas. If there were in this constitution, but some consistency, true wisdom, and sufficient securities for liberties; but, instead of a legitimate King, we have a military sovereign; and instead of the Lords, his companions in arms at the head of affairs. In order to deceive thoughtless and superficial observers, an appearance of restriction is introduced in the regulations relative to the army, taxes, and sanction of the laws; but in truth the Parliament cannot

reduce the army without the consent of the Protector ; whereas he, in case of pretended necessity, may levy taxes by his own authority, and may easily reject any bill that he does not like, under the pretext that it is contrary to the letter or the spirit of the new constitution. This constitution has neither the advantages of a monarchy, nor of a powerful republic. It is neither agreeable to the dictates of sense, nor supported and strengthened by custom, or long-established affection of the people. The regulations respecting the church are equally condemnable, because they neither confirm a system of order, unity, and obedience, nor satisfy the demand of liberty of conscience and religion."

Though these and other objections appeared to be unanswerable, none of the several parties, at that time, was exempt from blame, or certain of general approval. But the great majority of the people was heartily weary of revolution, and submitted to everything, provided the explosions of party rage and a new civil war were prevented. Cromwell, who had essentially contributed to the dissolution of all order, now seriously endeavoured to re-establish it. In his position, however, this could only be effected for a time by tyranny, and before true liberty could be restored, all that he projected, and which was advised by him, must, in like manner, be dissolved and overthrown. How little he himself confided in the temper of the people

appears from the fact, that, though he was an adversary to puritanical rigour, he gave orders, on the 31st of May, that all cock-fights, races, and similar amusements should be prohibited for six months, because they gave occasion to breaches of the peace.

During this time, Cromwell's second Parliament was elected, according to the new regulations, and opened on the 3rd of September, 1654, the anniversary of the battle of Dunbar and Worcester, with the solemn performance of divine service. On the following day, Cromwell made a speech against Levelers, Fifth-monarchy men, and Catholics, and all those who spread discontent, and would put no end to continued revolutions. He then gave an account of the domestic and foreign affairs, and praised the constitution which had been introduced for the restoration of order. The Parliament was, however, far from considering this constitution as inviolable, but immediately commenced discussions which were equally unexpected and disagreeable to the Protector. On the 6th of September, they decided that it was a matter of course that nobody could be answerable to any power or authority for what he had spoken in Parliament. On the 7th of September, the question was put whether the new constitution should be adopted *in toto*, or whether the several parts should first be examined; and a majority of five resolved to refer the examination to a select committee. On

this occasion a Member said : " We must not calmly look on while the liberties of the people are repressed by one whose right is measured entirely by the length of his sword." On the 9th of September, they deliberated whether it was necessary to invest an individual with the executive power, and whether every one was at liberty to submit to Parliament, for examination, his views respecting the best constitution. This discussion brought to light manifold views and principles. Thus many affirmed, as the supreme power originally belongs to the people, it is not proper to oppose two powers in the Government to each other, as if there were two different interests to be represented. On this account, the former position of the King was erroneous and unsuitable, nor can the rights of a supreme ruler be measured entirely according to the power of his sword : otherwise the Turkish Sultan would have a better title than any Christian Prince. To those who required a new examination of the present constitution, it was answered : " How, if the foundation of it should prove defective ; must not this defect extend also to the former Parliament, since its separation from the King ; and would not its Members then be the worst and basest knaves in the world ?" In order to escape this dangerous argument, others affirmed that the people had already tacitly approved of the new constitution ; wherefore it could not be again examined, or changed by the representatives. Lastly,

others declared plainly that everything must remain as it was, and Cromwell would never part with the power which he now enjoyed.

In these critical circumstances, Cromwell thought that he could no longer remain inactive. On the 12th of September he appeared in the House, and made a long speech of which the following is the substance: "I have not forced myself into my office; but a long series of divine dispensations, and the voice of the people, have raised me to it, and I consider these titles and testimonies of more value than the antiquated hereditary right of any Prince. Therefore, if God and the people do not take my power from me, I shall not part with it. What I did against the Long Parliament was just, necessary, and agreeable to the wishes of the people, and when I dissolved it not a dog barked. Of the resignation of the second Parliament, I knew nothing, though my power thereby became unlimited. Meantime, many persons, without my taking any part, were engaged in drawing up a new constitution; and it was not till after long hesitation, that I resolved to accept the office of Protector. By virtue of this new office I have summoned the Parliament: it has obeyed the summons, and is free; but only in conformity with the enactments of the new constitution. All the follies and nonsense out of doors trouble me as little as moats in the sun; but that the Parliament would call in question my official situation, though it is assembled

under my authority, cannot but astonish me. Every constitution needs certain basis, a kind of Magna Charta, which is fixed and unalterable. Therefore, the Members of Parliament shall sign a declaration to be faithful to the Protector and to the Commonwealth, and not propose or consent to any change in the basis of the present constitution."

On the following day, the doors of the House were occupied by soldiers, who refused entrance to any one who would not first sign such a declaration. Above half of the Members refused, though the Protector's friends represented that it was indeed very moderate and gracious in him to transfer to the Parliament any part of the full and entire power which belonged to him. But, even after this violent mutilation of the Parliament, ⁽¹⁷⁾ the debate was renewed on the question what were the main and what the subordinate points of the constitution. In order to consecrate themselves for such an important affair, they held a solemn fast day, on the 11th of October, on which sermons were preached from nine in the morning till four o'clock in the afternoon. The Parliament then declared that the dignity of Protector should not be hereditary, but elective; and that all the laws and ordinances of Cromwell, of the privy council, and of the last Parliament, should be revised.

These and similar resolutions might have induced Cromwell to proceed earlier to new violent measures; but he hesitated, because the dissolution of the Par-

liament before the expiration of the fifth month was prohibited by the constitution. Immediately, however, at the end, not of five calendar months, but of five lunar months of twenty-eight days, he went to the House, on the 22nd of January, 1655, and spoke for an hour and a half on the state of affairs. He said: "You have not fulfilled my hopes, nor done what you ought to have done. For these five months I have not hindered you in any way, and have interfered in nothing; but you have done nothing, and I have scarcely known whether you were alive or dead. But you have been sowing thorns and thistles, spreading discontent, and leading to disorders. I am, therefore, compelled by my duty to God and the people, as well as for the public safety and the general good, to dissolve your assembly."

This treatment of the second elected Parliament caused greater dissatisfaction than the dissolution of the first, appointed by Cromwell of his own authority; and the royalists and republicans now called him more loudly than ever, the former the murderer of their King, and the latter the betrayer of their good cause. But all the many successive conspiracies were ably discovered, suppressed by force, and punished with rigour; all the prisons were crowded, and even men who, like Harrison, had been the zealous friends of the Protector in his early career, did not escape suspicion and imprisonment. ⁽¹⁸⁾

To throw light on the state of opinion and of public affairs at that time, we take the following remarks from the reports of the French ambassador, Bordeaux: ⁽¹⁹⁾ "In order to strengthen his party, Cromwell makes promises to everybody; but it is here, as everywhere else, no government pleases the people, and the Protector, once their idol, is now the object of their censure, perhaps their hatred. To maintain his ground, he wishes (with Lambert and some counsellors,) for war, and is only considering whether he shall begin with France or Spain. A conspiracy having been discovered, he caused all the inns, and many other houses, to be examined in the night, and about two hundred persons to be arrested. These rigorous measures embitter the people's minds, and the number of the conspirators seems to be great. In the end, this attempt will consolidate the present government, and serve as a pretext to act with still greater severity. The judges who tried those conspirators have, however, observed that the mode of administering justice is contrary to the established forms; others, on the contrary, say the government is new, and recognizes nothing of what was done by former governments. Most of the Members (of the second Parliament) are officers, or their relations; for the nobility have been mean enough to choose only those who were agreeable to the Protector; and the people, quite impoverished by the

new taxes, have likewise sent up insignificant men. When the Protector, in order to break down the opposition which manifested itself in Parliament, (notwithstanding the violent expulsion of so many Members,) dissolved it, the city remained quiet, for civil war is more dreaded than his unlimited authority. The Presbyterians, indeed, think of a republic, with rigorous church discipline; but this will only make all more dependent upon him and the army; and at the most will only bring about that he will not assume any other title, or make his power hereditary. The officers, enriched with the possessions of the King's friends, long for their dismissal; no other opposition is to be expected from this quarter.

“Yet we hear remarkable reasonings. Many say, for example, ‘If the sovereignty does not reside in the people, those who brought about the death of the King are murderers; but if the sovereignty does by law belong to the people, those who would deprive them of it are traitors to their country.’ Cromwell's policy is not to use force, except in case of extremity. He has, however, driven away some colonels who presented a remonstrance against his government. All the conspiracies are so ill-contrived that they only confirm his power. Several prisoners confined in the Tower have been sent by him to distant islands and castles; and some lawyers arrested who spoke too boldly against the levies, made without the consent of Parliament, and some other things. Far-

ther proceedings were stopped, because it was feared that the verdict might fall out as in the time of Charles I. Some royalists have been executed, and two judges deprived of their posts, because they affirmed that an insurrection against the present government was no great crime. Considerable changes are also made in the departments of war and justice, and many persons are arrested merely because they were attached to the King. To maintain his consideration, Cromwell affects great zeal for religion; in truth, however, he neither loves nor hates either confession. Those who know him best say that hypocrisy and deceitfulness are the chief features of his character."

Though even Charles II. himself advised his adherents to remain quiet, because every public step would probably only increase Cromwell's power, the fermentation and danger still appeared to the latter to be very great, and he eagerly took every opportunity to extend his power. Thus, in April 1656, the kingdom was divided into twelve districts, over each of which a Major-General was placed, who, with entire disregard of all protecting forms and authorities, was invested with almost unlimited power for maintaining public safety and the present government, and was authorised to arrest persons at his pleasure, to impose taxes, to demand securities and confiscate property. In particular the property of the royalists, and of many persons who had hitherto been neutral,

without any attention to treaties of peace and amnesties, and without the consent of the Parliament, was arbitrarily valued, and a tenth part exacted without delay. In spite of the most decided and arbitrary interference of Cromwell and the Major Generals in the elections for the new Parliament, so many enemies to the Government were chosen, that Bordeaux reports, ⁽²⁰⁾ Cromwell is now often sick and troubled; for accounts from all parts of the country confirm that his plans everywhere meet with resistance, that persons belonging to the court or to the army fail at the elections, and that the greatest enemies of the Protector are already chosen. Here, in London, soldiers were mixed among the citizens, to secure the superiority to Cromwell's dependants. In many places the people have manifested the greatest contempt for the persons recommended to them; nay, in some places the Major Generals and authorities could not carry their intentions into execution without bloodshed." On the opening of the Parliament, 17th September, 1656, they prepared themselves by fasting, and by arresting suspected persons. Nearly one hundred and sixty Members, to whom Cromwell had not sent tickets of admission, were excluded ⁽²¹⁾ by the soldiers, who had been reinforced by new levies and gained by an increase of pay.

In justification of this act of violence, Cromwell declared, 'that, according to the constitution, only men of acknowledged integrity and piety, and of good conversation, were to be chosen, and the majority of

the Council decided who should be admitted. The excluded Members had therefore to apply to the Council and prove their qualifications. This declaration, which added mockery to violence, increased the discontent, and the excluded Members found means to distribute a defence to the following effect: "Though we were threatened and driven from the doors, because we wished to impose some restrictions on the powerful conqueror, for securing the liberty and happiness of our country, we must, in performance of our duty to God and man, proclaim the oppression, cruelty, and perfidy of that tyrant, and set before the eyes of the well-disposed inhabitants of the three kingdoms their present but-too-evident misery, as well as their future dangers."

After a narrative of the events, they proceeded: "In spite of so many hypocritical protestations and promises of Cromwell, to live and die as a faithful servant of the Parliament, everything has fallen into the hands of this Sultan and his Janissaries. And, as a proof that this conquered nation has lost all its rights, he has now deprived it of the freedom of election, and set up a thing, which he calls a Parliament, to do what he is ashamed to do himself. But even these animals of his own training, disdain such a rider, the greatest usurper, robber, and murderer that England ever saw, and against whom all ought to unite as against the destroyer of their happiness and their rights."

Though this defence was everywhere seized by Cromwell's orders, it did not fail to produce some effect; yet the Parliament believed that resistance was neither possible nor useful. It granted all that was demanded for the army, increased the penalties against high treason, and appointed Commissioners to decide upon it in the last instance. It decided that those who would not take the new religious and civil oaths should lose two thirds of their property, and sold church estates for a mere nothing.

When all apprehensions from the Parliament vanished, Cromwell feared the power and the sentiments of the twelve Pachas to whom he had himself confided exorbitant power. Henry Cromwell, his relation, had a violent dispute with some of them in Parliament, because they wished to tax the Royalists much too heavily. Whether a sense of justice, or hopes of gaining the Royalists, or fear of the Major Generals, influenced him, Henry observed "that if some of the King's friends had done ill, all ought not be punished; otherwise there would be reason for treating all the Generals in the same manner." A person named Kelsey called him to order, and required him to name the guilty. He was ready to do this, when, (as the reporter says,) this fire was extinguished by the great armour-bearers. Henry however related the affair to Cromwell, who attempted to give it a laughable turn, and sent to the former a scarlet robe and a pair of gloves, with which he paraded in Par-

liament, to the joy of some and the vexation of others. Soon afterwards Cromwell entirely removed his Major Generals, partly to rid himself of these rivals, and partly to make himself popular, with a view to the attainment of greater objects.

On the 18th of February, 1657, the Parliament was magnificently entertained by Cromwell; and on the 23rd Alderman Pack proposed that he should be made King. Though Pack was supposed to have embezzled money, which Cromwell pardoned, and it was forbidden to propose changes in the constitution, the motion was taken into consideration, and in the end adopted by a majority of one-hundred and forty-four to fifty-four. When the Speaker presented this resolution to the Protector, on the 26th of March, and supported it by various arguments, Cromwell said he must apply to God to put an answer into his mouth. During the following six weeks, many meetings were held upon the subject, in which Cromwell made several unintelligible speeches, and neither accepted nor rejected the proposal. If he had at once boldly done either the one or the other, resistance would have been prevented, or the Republicans gained; but now all this doubting, delaying, and dissembling gave a very unexpected turn to the affair. Fleetwood, Cromwell's son-in-law, and Desborough his brother-in-law, having failed in convincing him that the whole plan had been formed by his enemies for his overthrow, boldly joined the Republicans in the army. On the

8th of May, notice was given to the Parliament that several officers desired to present a petition. It was taken for granted that it was in favor of Cromwell, and drawn up with his consent; besides it was signed by most of the officers then in London. "Certain persons," said the petition, "are endeavouring to reduce the people to the old state of slavery, and urge the Protector to assume the royal title, wishing by this means to ruin him. We therefore petition the Parliament to oppose such intrigues, and to abide by the old cause, for which we are ready to hazard our lives."

It is difficult to say whether Cromwell or the Parliament was the most surprised and astonished at this petition. (2) The former immediately caused Fleetwood to be told that he wondered how such a petition could have proceeded so far, as everybody knew that he would never have accepted the crown without the consent of the Parliament. At all events, the favourable moment was lost for Cromwell, and the decision forced upon him by others. He called the Parliament to him, and declared that he could not take the government with the title of King. Hereupon it was resolved, on the 19th of May, by a majority of seventy-seven to forty-five, that, instead of King, the title of Lord Protector should be inserted in the constitution. This document, however, contains the following claims: "Cromwell is Protector for life, and nominates his successor. The Parliament shall

consist, in future, of two Houses ; the Upper House is to have not fewer than forty, nor more than seventy Members ; they shall possess certain qualifications ; be appointed by Cromwell, and confirmed by the House of Commons. The latter decides itself on the admissibility or exclusion of its Members. The Protector shall receive a certain revenue, and, with the assent of Parliament, fill many high offices. Roman Catholics can neither vote at elections, nor be elected ; any Protestant, however, who acknowledges certain main points of the Christian doctrine, is qualified to hold any office."

Cromwell accepted this document, confirmed it, and said that he did not come as in triumph, but with the most serious thoughts that he had ever entertained, since such great burdens and duties were imposed upon him. He begged for their assistance, and their prayers for the help of God. The Speaker, presenting several bills for his sanction, excused the slowness with which the Parliament had hitherto proceeded. On the 25th of June, 1657, Cromwell was introduced, and acknowledged in the most solemn manner, as Protector, in presence of the Parliament, the Lords, the ambassadors, officers, and magistrates. On the 15th of July, he was solemnly proclaimed in Scotland.

Some persons believed that by this new constitution all revolutions were put an end to, and a happy state of affairs durably established ; more, however,

blamed it on various accounts. The friends of royalty said: "The framers of the constitution have stopped half-way; if they would not have what was the best and most natural, the restoration of the Stuarts, they ought to have appointed Cromwell king, and thereby have prepared for their return. The present position of the Protector does not satisfy either the royalists or the republicans; and if the latter had been offended by his royal dignity, the nobility would have joined him with greater confidence, and the respect of foreign countries towards him would have increased." The Independents, on their part, complained of the underhand introduction of all the ancient evils of monarchy and aristocracy; and the Presbyterians, of the dissolution of all order and discipline in the Church. Lastly, the remark was obvious that every revolutionary excess naturally brought its own punishment with it; so that Cromwell longed for an Upper House, with Lords and Bishops, and had, by his own elevation, shewn the necessity of royalty, and the wickedness of the murder of the King, in the clearest light.

Like many new revolutionary Governments, the Parliament first, and then the Protector, endeavoured to draw the attention of the people from internal to foreign affairs, in order to give to the restless spirits a remote and honorable employment. The long peace under Elizabeth had greatly increased the

population of England, and the civil war had called for:h military inclinations and talent. On the other hand, most of the European states were exhausted by the thirty years' war, and indisposed to new contests. In this state of things, a war broke out, for various reasons, between England and the United Netherlands, so early as 1652. Those who held the power in England had conceived an idea that the two republics ought to be most intimately connected together, nay, even blended into one ; whereas the Dutch would not take any part in the contest against the Stuarts, (even on account of the House of Orange,) and entangle themselves in quarrels. (23) They were also afraid of being inferior to England, and being turned aside from their own course. To this was added, (not to mention single affronts, for instance, of the ambassadors,) the act of navigation, passed in October, 1651, to this effect : " No goods or merchandize shall be imported from Asia, Africa, and America, into England, in any but English ships ; from Europe, every nation shall import into England only its own productions and manufactures, on pain of the confiscation of the ships and cargoes."

This law has been most highly extolled, as the chief cause of the extraordinary greatness of the British naval power and British commerce. At that time it was certainly passed with hostile intentions to the Netherlands, and unquestionably contri-

buted to turn the attention of the English to those objects. But, on the other hand, a thousand various circumstances and causes combined to establish the naval and commercial superiority of England, whereas the act of navigation, considered in a more elevated point of view, appears only in the light of a monopoly. Now a monopoly may sometimes be asserted by force, and a reciprocity of laws be rejected by the more powerful party; but this tyranny never operates to the *general good*. Nay, the very circumstance that, if every state adopted the above law, trade and commerce would be extremely impeded, proves how partial and objectionable it is; and, independently of all considerations founded on philanthropy and the law of nations, it is of no more worth, even for the individual state, than the highly-extolled systems of prohibition and contraband. With the increase of theoretical knowledge and practical energy, such means of separating nations from each other could not fail to be gradually recognized as unjust, and rejected as injurious.

In the naval war between England and the Netherlands, Blake, Tromp and Ruyter equally distinguished themselves. After both nations had done each other immense injury, peace was concluded on the 15th of April, 1654, by which pecuniary indemnities were given to the English; and, by a secret article, the Members of the House of Orange excluded from the general Stadtholdership: (24) a condi-

tion as agreeable to the Lowestein party in Holland as to the Protector. ⁽²⁵⁾

Scarcely was this war, which had been commenced by the Parliament without sufficient reason, terminated, when Cromwell sought to begin a new one. Since his elevation to his present dignity, France and Spain had equally expressed a wish to form an alliance with him. It was in favor of the latter power that it would then expel the Stuarts, and probably grant the Protestants more favorable terms ; against it, that the prosperity of Spain was declining, and that of France increasing in a manner calculated to excite apprehensions. Cromwell, however, regarded only what was immediately suited to his purpose ; that is to say, he wished for a convenient war which seemed to promise striking advantages. He therefore, demanded from Spain, that no Englishman should be subject to the Inquisition, and that the English should have free trade to the West Indies. The Spanish ambassador answered that this was asking for his master's two eyes. The Spanish Inquisition undoubtedly exercised an unjust tyranny, but Cromwell did not treat the Irish Catholics with more mildness ; and the second demand of a free trade to the Spanish colonies was certainly neither reasonable nor consistent at a time when the Navigation Act had just been passed. In May, 1655, Admiral Blake took the Island of Jamaica ; and in March, 1657, Cromwell joined France for the conquest of Mar-

dyke and Dunkirk. These conquests silenced, at that time, many opponents, and were represented in the sequel by some persons, as favorable points in the government of Cromwell ; but in fact this alliance with France, which was already too powerful, appears entirely contrary to genuine policy, and, after the favorable moment for checking it in its career of conquest was passed, cost the English such immense sacrifices that Dunkirk and Jamaica were no indemnity for them. ⁽²⁶⁾

Cromwell was certainly feared and courted by all the European powers, and he was king in everything but in name. Together with the elevation, however, praise and blame increased. Cromwell's admirers said : "By his energy and activity, England had recovered the importance in foreign countries which it enjoyed in the reign of Elizabeth, and at home he had subdued the most licentious passions, and turned them to salutary exertions. Right and justice were everywhere maintained ; all persons possessing due qualifications are suitably employed ; every reasonable proposal is calmly examined, and there is no trace of the unbridled cruelty of other upstarts. He has delivered the country from the vengeance of the Royalists, the tyranny of the Presbyterians, and the anarchical visions of the Levellers. He may be compared with Moses, Gideon, Elijah, David, Solomon, Alexander, Cæsar, and Constantine."

To this the enemies of the Protector replied :
 “ He has successively flattered all parties, and betrayed them all. (27) It is only from self-interest that this greatest of all hypocrites exhibits himself to the world as just and moderate in some solitary instances, while his whole existence is absolutely founded on injustice, and he himself was the cause of all the evils, the apparent suppression of which is attributed to him by base flatterers as an extraordinary merit. Thus, for instance, we are to rejoice that he abolished the despicable tyranny of the Major Generals ; yet he himself introduced it, and made the alteration not out of love for justice and liberty, but from suspicion and fear. Thus others praise his moderation and condescension, while his family parade about, and nothing is seen at his court but vanity and sin. (28) Religion is but a means to obtain his ends, and he represents his own interest as the cause of God. He openly declares that in public affairs his will and his conviction take place of all laws ; that in dealing with rogues, it is right to act like a rogue. As a just punishment for this way of thinking, he sees everywhere enemies and conspirators, and neither his innumerable spies, nor arbitrary arrests and punishments, can deliver him from the daily increasing number of his enemies.”

Let us be permitted to annex to this compendium of different opinions, some individual authentic testi-

monies and expressions. Colonel Hutchison relates: "When I told Cromwell that he would fix an indelible stain upon his reputation if he suffered himself to be carried away by ambition, he vowed love and gratitude to me; but never trusted me afterwards. In general he thankfully received counsels, warnings, and reproofs, entered into the matter, and answered and promised; but all this was only lying and hypocrisy. The system of watching, espionage, and informing, was carried by him to such a dangerous extent that no one ventured to speak to another." (29) Major Wildman, a contemporary, writes: "Cromwell pretended zeal for God and the people; his solemn assurances of his devotion, simplicity and probity, hypocritical praying and fasting, assumed mildness and humility, as well as tears shed on every occasion, lulled us asleep, and into pleasant dreams of liberty and laws, till he sacrificed all our laws and liberty to his own ambition." "Tears," says Beresby, "were always at his command, and he was undoubtedly the greatest hypocrite in the world." "He wept," says Sagredo, "very often; but more for the sins of others than for his own." Cromwell himself writes to Lord Warton: "Would that we were all Saints; the best of us are poor weak Saints, but still Saints: and if not sheep, then lambs. Faith, patience, hope, charity, are practised by us. Yea, Christ is formed, and grows to a perfect man within us." In a like spirit, St. John wrote to Cromwell: "All things

are ours, because we are his (that is, God's.)" Clergymen, contradicting this self-sufficient conviction, called the Protector, in their sermons, the greatest of thieves and robbers ; and satirical poems treated him in the same manner : in one of them is the following passage :

" A Protector, what's that ? 'Tis a stately thing,
That confessed himself but the ape of a King ;
A tragical Cæsar acted by a clown ;
Or a brass farthing stamp'd with a kind of a crown."

Thus reproaches and accusations increased, till Colonel Lindsey positively affirmed that he had seen the solemn compact by which Cromwell had sold himself to the devil. ⁽³⁰⁾

The Anabaptists spoke the most particularly ; in a representation which they caused to be delivered to Charles II. they said : ⁽³¹⁾ " We have been seduced, deceived, deluded, and betrayed by the greatest of deceivers ; the disgusting hypocrite, the abominable traitor, the monster of nature, the disgrace of humanity, the sum of injustice, the abyss of sins, the pattern of baseness, who now calls himself our Protector. What have we not done, that only hellish subtlety and brute force could execute ? We have trampled all authorities under foot, we have laid impious hands on our own King ; we have robbed the Parliament, and have destroyed the virgin liberty of our nation ; we have imposed a yoke, a heavy iron yoke, on the necks of our fellow citizens, and pulled down the ramparts

and bulwarks of public security ; we have broken the often repeated promises, engagements, vows, and oaths ; have perfidiously raised our hands to heaven, and betrayed the confidence placed in us ; and, that nothing might be wanting to aggravate our sins, we have to all this added hyprocrisy ; and not only wiped our mouth, and boasted that we had done nothing evil, but in the midst of all our basenesses, (which are too vile to be mentioned among the vilest heathens,) we have even had the impudence to say, “The Lord be praised and Jesus Christ be exalted ; may the kingdom flourish, the gospel be spread, and probity everywhere prevail.” We deplore the misery of our country, but what shall we do for it in these days of sorrow ? (²²) We were once skilful in pulling down, but now we have no skill to rebuild ; we understood how to root up, but we do not understand how to plant ; we were strong to destroy, and are weak to restore. Where shall we seek for assistance, whither shall we turn for help ? If we say, ‘ Let us have recourse to Parliament, they shall save us ;’ behold they are as a broken reed agitated by the wind : they cannot save themselves. If we turn to the army, and say, ‘ You are bone of our bone, and flesh of our flesh ; you, if you will, may have compassion with us, and deliver us,’ see they are rather become an iron rod to chastise us than a strong staff to support us. Lastly, if we go to him who has traitorously arrogated an unjust power over us, and perfidiously uses it, and say to him, ‘ Deliver

us from this yoke for it oppresses us, and from these burdens for they are heavier than our fathers bore and than we are able to bear ;' see he answers us, in the pride and arrogance of his mind, ' If your burdens are heavy, I will henceforth make them still heavier ; and if I have hitherto chastened you with rods, I will in future scourge you with scorpions.'

It was a most important consideration whether this temper would be re-echoed in Parliament, or whether it would willingly submit to the commands of Cromwell. He opened it on the 20th of January, 1658, with a speech in which some statements of the situation of public affairs were mixed with many quotations from Scripture and pious phrases. These theological references could not however avert the discussion of two very important objects. In the first place, all the Members of Parliament who had been before excluded by the Privy Council were admitted by the Lower House, by virtue of the right given it by the new constitution ; by which the number of Cromwell's adversaries was considerably increased. Secondly, they examined the composition and a new form of the Upper House. " In this," says Ludlow, " there were persons who had latterly acquired great wealth, and hoped to enrich themselves still more by the sale of their consciences. Of the old nobility, Lord Eure alone accepted the honor offered by Cromwell ; all the others were unwilling to sit in the same House, like Colonel Pride and Harrison,

the former of whom had been a carman and the latter a shoemaker. Had they done nothing worse than that, there would have been no reason to separate from them. Now even citizens, like Haslerig, sat rather in the Lower than in the Upper House.

From these objections to individual members, the transition was easy to an examination of the whole institution, in which the arguments against an Upper House, and its veto, were again so warmly enforced, that it appeared that it would be wholly rejected, or the new constitution be considered as by no means inviolable. At the same time reports were spread of various plans contrived against Cromwell, both at home and abroad.

He therefore, not regarding the dissuasion of some of the counsellors, repaired on the 4th of February, 1658, to the Upper House, and sending for the Commons, addressed them in a speech of which the following is the substance: "I did not seek my place, but accepted it only in consideration of the distress and the sad condition of the country. I can say, in the presence of God, in comparison of whom we are but like poor creeping ants upon the earth, I would have been glad to have lived under my wood-side, and to have kept a flock of sheep, rather than undertaken such a government as this now is. I desired that between me and the Lower House there should be another House, in order to keep in check a restless and democratical spirit; and I have, according to the

right given me, appointed men to it not distinguished by rank, titles, or party views, but by English and Christian feeling; men of your own rank and quality, who ought to be most welcome to you. I consider myself as bound by the constitution, and believe that a solid foundation has been obtained without an hereditary King and laws in the old fashion. Instead of this, many think of further innovations, endeavour to pervert the army, or apply to Charles Stuart, from which new wars must arise; it is therefore high time that an end be put to your sitting, and I do dissolve this Parliament; and God judge between me and you." Many remained in silent astonishment, others cried "Amen," but all obeyed without opposition.

Thus Cromwell had successively dissolved four Parliaments in a much more arbitrary manner than Charles I.; yet all his power was not sufficient to govern without them, and no prudence was able to reconcile them, and to make what was offered by him appear inviolable and sacred. Cromwell, therefore, employed the old means with increased rigor, flattered the army, dismissed suspected officers, both military and civil, searched out and punished conspiracies, levied money, &c. From 1640 to 1659, which years, according to former expenditure, would have cost about £10,000,000 sterling, £83,000,000 were expended, which were chiefly raised in an illegal or injudicious manner; (") yet all these resources had not averted pecuniary distress and the contracting of debts.

Considering this state of things, Hallam says, "All delusions respecting the alleged benefits of the civil war, were now vanished ; it had led to a tyranny in comparison with which all the illegal acts of former Kings, and all that had cost Charles I. his crown and life, appears but as dust in the balance. What signifies the general taxation, by ship money, to that of a single class of persons, who had already been often punished and then pardoned ? what was the excessive severity of the Star Chamber, to the executions which the Usurper caused through those commissioned by him without legal forms, and without a jury ?" The Earl of Chatham expressed himself in more severe terms : "Cromwell was a hypocrite, who, under the double cloak of religion and patriotism, broke, like a thief in the night, into the constitution, and stole the liberty of the people."

Cromwell had certainly come to a point in his career where there appeared to be no way of proceeding further, and the solidity, which still seemed to subsist, had in fact long since vanished. His own family was distracted by dissensions. Desborough and Fleetwood, in concert with several Privy Counsellors, wished to return to republican forms. Elizabeth, Cromwell's second daughter, reproached him for his former and present conduct, and died at last, to his great affliction. He was himself seized with fear and remorse, always wore a coat of mail, never slept two nights together in the same chamber, had guards

posted everywhere, and secret avenues contrived, and was doubtless sensible that, if tried by the standard which had been applied to Charles I., he had long since merited the axe of the executioner. What intrepidity was shown by the high-minded Elizabeth, in so many conspiracies, in comparison with Cromwell ? but she found comfort and strength in the general love against the hatred of individuals, while scarcely one was in his heart devoted to the Usurper. In this situation his death must be considered fortunate, inasmuch as heaven called him from this world on the 3rd of September, 1658, the anniversary of the battles of Dunbar and Worcester, in the 59th year of his age. He was buried with royal pomp, and his chaplain Starry, said, in the funeral oration, "O Lord, thy servant is now at thy right hand, interceding for the sins of England." Evelyn, on the other hand, relates, "This was the merriest funeral that I ever saw, for no one howled but the dogs, with which the soldiers made sport amidst barbarous noise, parading through the streets, drinking, and smoking." Ludlow adds, "The people were so indignant at the prodigality and folly of the funeral, that during the night they covered with mud Cromwell's arms over the gate of Somerset House."

Though Cromwell's eldest son had lived in a thoughtless manner, and showed neither inclination nor ability for public affairs, he was acknowledged as Protector both at home and abroad; as if his claims

were established beyond all doubt, and no future interruption to be apprehended. Many persons, too, said, "If he is inferior to his father in ability, he is however no gloomy hypocrite, and is free from all the guilt of the revolution and murder of the King; and if Oliver Cromwell was not able to govern without a Parliament, Richard, pressed by want of money and other reasons, must hasten to call one." The elections took place on this occasion in the old manner, because it was hoped that the votes for the rotten boroughs would be more easily gained. Yet a diversity of views manifested itself on the opening of the Session, 27th of January, 1659, only the smaller portion of the Lower House following the new Protector, on his invitation, to the Upper House. It soon appeared that the party of the republicans was as strong as the court party, and the decision often depended on a few more moderate men, nay, almost on accident. Accordingly the discussions immediately recommenced whether the Upper House was necessary, whether the present constitution was inviolable, whether the chief command of the army was to be given personally to Richard Cromwell. It was also asked, "Is the testimony of the Privy Council sufficient to prove that Richard was nominated by his father, towards the close of his life, to be his successor; or must this nomination be examined and confirmed by the Parliament? Has this Parliament been legally convoked, or does it require another and a higher sanction?"

The mode of thinking and acting of the Lower House is illustrated in a very instructive manner, by the following parliamentary conversation and votes. *Haselrig*. "We have never pulled down anything except by prayer and humiliation: let us build up nothing without them. It was a glorious work that our Saviour died for us upon the cross for our spiritual good: it is a glorious work for our temporal good to do away with the King and the Upper House. All right is originally without doubt in the people; to whom it unquestionably returns, when the power that has been instituted is taken away. The Parliament which drew up the last constitution was a constrained, incomplete, lame Parliament. All it did is not sufficient to establish peace and order in this country; we must not acknowledge without full proof the assertion that Cromwell appointed his son as his successor; we must first declare what rights originally belonged to the people, and that the first Magistrate is answerable; we must secure ourselves against anarchy and tyranny." *Vane*. "The opinion of the Long Parliament was, that all just authority resided in the people, and was exercised by their representatives." Reciprocal accusations being brought forward on the defects of the old, and the follies of the new government, *Lambert* said, "If everything is weighed according to strict justice, I think that we all of us, without exception, have forfeited our lives." *Colonel Briscoe* added, we ought heartily to confess

that there have been faults on both sides." *Nicholas*. "The present constitution is but little more than a year old, and is scarcely able to speak English; I hope you will not think of building on such a sandy foundation. It was hurried through the House in a precipitate and unparliamentary manner, by a majority of only three votes, and it appears highly objectionable, if it were only because it gives the command of the army and the negative voice to one man." *Captain Baynes*. "All property belongs to the people, and therefore the government ought to be in them. It is often a misfortune when the people have a good head; for, through affection, listlessness, and inattention, they often fall into snares. The government ought to be ordered in such a manner that even the most wicked of all men can do us no harm." *Haslerig*. "During the last five years, the government was worse than in five hundred years preceding: let us call these bad governors to account." *Trevor*. "A good law, given by an exceptionable authority, is not so much as a bad law given by a good authority. I do not understand the doctrine of a natural law, prior to all magistrates, and that we are reduced to this natural law." *Harrison*. "As some persons have become tyrants, so have the liberties of the people, like Pandora's box, been misused." *Sadler*. "People have exclaimed, 'Down with the Monarchy, the head of the beast.' I fear lest we

should convert the Protector, by giving him too much power, into an image of that beast." *Ludlow*. "The Protector possesses nothing by conquest or divine right, but everything by gift. Let us not give it away by wholesale, and beg it back like higglers." *Wroth*. "One principle has ruined the people; namely, that the King can do no wrong."

While the Parliament thus seemed to be engaged in the discussion of general questions of political economy, and the army in praying, preaching, and singing, both were laboring, at the same time, to establish their own sole power, and to alarm or to gain the Protector, who was wholly unacquainted with business. First of all, the army brought forward its demands, ⁽³⁴⁾ that no person should be dismissed without reason; that the Protector, not being a military man, a commander-in-chief should be appointed, and that the old good cause should be maintained. The Parliament hereupon granted many individual points; but, at the same time, decided that, without the consent of the Protector and the Parliament, there should be no meeting, deliberation, or resolution, of the army and the officers; that no person should receive a commission in the army or the navy, who did not promise to recognize the rights and privileges of the Parliament, and never to disturb or interrupt it. This resolution excited disorder and discontent in the army. Inferior officers prevailed to have many colonels dis-

missed. The superior officers, by their own authority, chose Fleetwood commander-in-chief, and the latter, together with Desborough, vehemently urged the Protector immediately to dissolve the Parliament, and then he would be certain of their protection. If not, the army would certainly desert him, and carry the measure into execution by its own authority. After many not ill-founded apprehensions, Richard at length consented; and when the Parliament, after a short adjournment, was going to resume its sitting, on the 22nd of April, 1659, it found the doors closed.

From this moment the victorious officers regarded neither laws, nor constitution, nor Protector; and, after various plans how they might govern or not govern, they at last adopted the idea of re-establishing the Long Parliament. The scattered Members, about ninety in number, were hastily collected, and on the 6th of May proceeded to the House of Commons, between the lines of the officers, for the most part the same with whose assistance Cromwell had expelled the Parliament six years before. However, those who displeased the new rulers were now, in like manner, refused admittance. The Parliament, which had been so variously mutilated, received the name of the Rump Parliament; and, that it might not too much follow its own notions, was provided, on the 13th of May, with the necessary instructions, under the title of a humble petition and address

from the officers, to the Parliament of the Commonwealth of England. This address says : " The constitution shall be republican, without a single person as head, kingship, or House of Peers. Popery and Prelacy remain abolished. There shall be an act of oblivion ; but all adherents of Charles Stuart, all enemies of liberty and of the Parliament, all mockers, scoffers, and revilers of godliness ; all who have not given satisfactory proofs of their affection and faithfulness to the good cause, shall be excluded from offices and from Parliament. The Parliament consists of an elective Chamber, with a council of state ; Fleetwood is Commander-in-chief of the army ; Oliver Cromwell's debts shall be paid ; Richard shall have £10,000 a year, and his mother, £8000."

Richard, who could not find any support in the remnant of a Parliament which had been dispersed by his father, was in fact deposed by this address of the army, and it seemed of little importance that he formally resigned, on the 25th of May, and declared : " I agree to everything, and though I have not been able myself to contribute to the changes in the constitution, I will voluntarily acquiesce in them, and expect from the new government to which I submit, the protection granted to everybody." Like Richard, his brother Henry was obliged to give up the government of Ireland, where, after Fleetwood and

Lambert, he had governed with great moderation and was extremely beloved. Nobody molested the two brothers, who wholly retreated from the political stage ; but neither was the promised pension paid them, and Richard had to think himself fortunate that the Parliament resolved, on the 4th of July, that nobody should throw him into prison for debt, during the next six months. He long lived unknown in Paris, with a single servant ; returned to England in 1680, and lived till 1712. Henry, whose talents and merit were superior to those of his brother, employed himself till his death in agricultural pursuits.

The Parliament approved provisionally of most of the proposals of the army, and confirmed Fleetwood as commander-in-chief. But he, as well as Desborough, soon lost ground in the respect of the officers, because both thought only of their own advantage, and not of a republic. (³⁵) Others, on the contrary, considered it as very short-sighted and foolish that those men had assisted in overthrowing the Cromwells, and had thereby necessarily prepared the way for their own destruction. The victors, that is the army and the Parliament, were very far from living in harmony together, and only their fear of the Presbyterians and Royalists restrained them for a time from more violent measures. In reference to this state of things, Major Wood writes : " The confusion is here greater than can be imagined, and

chaos was a perfect and regular state in comparison with ours. The parties resemble islands, which appear to form a continent, but which are dispersed by the next flood, so that it cannot be foreseen in what position they will next be. Fleetwood, Lambert, and Desborough are but little respected by the soldiers, who know their intrigues, and wish to take care of themselves; the Parliament fears another dissolution; the Fifth-monarchy-men are in motion, and we live in daily apprehension of murder and massacre." Mordaunt writes to the same effect, about the same time: "All is falling to pieces; no one agrees with another. Vane endeavours to form a party for personal objects. Harrison is a visionary, and superstitiously devoted to an undefined faith and religious worship; Fleetwood, a Presbyterian and a Baptist, and in every respect, a weak brother; Desborough, a mere beast of prey; Lambert, if anything, a Papist; Haslerig, a Presbyterian; Neville, without any religion, &c."

When the Parliament gradually manifested more and more plainly its intention to subject the army to the laws, the latter presented such arrogant demands, that, on the 12th October, it was resolved, by a majority of fifty to fifteen, to dismiss several Commanders, including Desborough and Lambert. Instead of obeying, they caused all the streets and avenues to be occupied on the following day, and when the Parliament applied for assistance to the

city, it received for answer that it would not interfere in the dispute, and only preserve order. Every one, indeed, went about his own business, as if it were no concern of his that the Parliament, which had been set up by the army a few months before, was again dispersed. The officers declared that they had assumed the power only to employ it for the full satisfaction of all honest men; they appointed a Committee of Safety, while all safety was at an end, and had a fast-day, to exercise afterwards, with new presumption, despotic authority. To the Council of State, Colonel Sydenham said: "The army had been obliged to apply this last remedy, in compliance with a special commission from divine providence." Bradshaw angrily called this expression blasphemy, forgetting that he had justified the murder of the King in a similar manner.

"At this time of complete anarchy," says White-locke, "everyone was guided by his own fancies and his own interests." Phillips writes, on the 11th of November, to Hyde Clarendon: "The leaders sought in vain to obtain the consent of the city for the dissolution of Parliament." When Fleetwood offered to raise a militia for the protection of London, he was answered that the Lord Mayor had sufficient power for that purpose. Desborough declared to the Council: "Because the Parliament intended to dismiss officers, we had a right to dismiss the Parliament. Besides, it is a calumny to say that we

do not like any government: it is evident that we love a bad government much more than none at all." At these words such a burst of laughter arose that Desborough was put out of countenance, and when he left the town-hall with his adherents the people called out for a free Parliament. "We have here," says an eye-witness, "traitors of all kinds; royalists in great numbers, but without arms, practice, and connection; Presbyterians who would have half a King and half a republic, and whose importance is declining; then Independents, Anabaptists, Seekers, Quakers, and Singers, always three women to one man, who, of course, make the greatest noise. Lastly, an army composed of all these ingredients."

A few zealots talked aloud and publicly (as they had learned by vote for ten years past,) of a republic, as if it were the only perfect and necessary constitution. "And yet," says an unprejudiced and acute historian, very justly, "no notion was more visionary than that of founding a republic at that time in England. This name, which was never usual or respected in that country, appeared now in an odious combination with ten years' tyranny, the rapacity of the Parliament, the hypocrisy of Cromwell, the confiscation and penalties of the committees and military chiefs, the arrests, executions, persecution of the church, the despotism of the sects; the gloomy austerity of the Presbyterians, and the destruction of the frank-

and cordial cheerfulness of the popular character. Should the nation bear again the farce of the good old cause, as the republicans were pleased to call the object of their little party, and submit to Lambert, who was without principles, or Vane, who expressed the same thing in another manner, or Haslerig's rage, Harrison's fanaticism, and all the visions of low projectors, who amused themselves in contriving plans for a perfect constitution, and disputed about a thousand trifles of political mechanism, which, in times of abstract theory, appeared of so much importance ? None of these many projects had any legal existence, or the probability of indubitable success, or the approbation of the people ; and then the party of the republicans, if we except those who desired a Protector, or expected the personal appearance of Christ, are reduced to an extremely small number, perhaps to a few hundreds."

However this may be, all true friends of their country were unquestionably heartily tired of the confusion and revolution ; and every illusion of the revolutionary parties was so passed away that scarcely one of them still believed itself. Hence not a few were of opinion that it was the highest wisdom to recognize their advantage, to divine the future, and to join with the right persons.

In this state of things, George Monk, afterwards Duke of Albermarle, resolved to take on himself a decided part. He was born on the 6th of Decem-

ber, 1608, of a distinguished family, at Potheridge, in Devonshire, had accompanied the expeditions against Cadiz and Rochelle, went in 1629 to the Netherlands, and there served with honor till the commencement of the Scotch troubles. During the civil war in England he was taken prisoner by the royalists, and did not recover his liberty till after the execution of Charles. Hereupon he acquired the confidence of Cromwell in the wars in Scotland and the Netherlands, and he gave him the chief command in Scotland. Notwithstanding the prudence and caution with which Monk conducted himself in this new and difficult situation, Cromwell once wrote to him with admonitory pleasantry: "I have been informed that there is in Scotland a certain cunning fellow, George Monk by name, who has a scheme for restoring Charles Stuart; endeavour to catch him, and send him hither." After Cromwell's death, Monk exerted himself for Richard; declared in the most positive manner, to the great vexation of his royalist wife, against the restoration of the King; boldly rejected his offers, but took no further part in the affairs of England. When the Parliament, however, was dispersed by the army, and letters fell into Monk's hands from which it appeared that the new Committee of Safety intended to have him arrested, he declared, on the 20th of October, 1659, that he wished for a reconciliation between the army and the Parliament. But if it could not be effected, he

would assist the latter, because the establishment of the Commonwealth was the sole wish of his heart. This caused as great joy among the citizens of London as dissatisfaction in the English army. To prevent an open rupture between that and the Scotch army, negotiations were set on foot, on which it was observed that Monk, by causing this dispute, had taken the right means to restore the King. Price, Monk's agent, replied : " It is rather you who bring him back, and have also justified the late King ; for he required only five Members, but you have destroyed the whole Parliament."

During the progress of the negotiations, such exaggerated reports were spread of the discontent of the Scotch and the superiority of the English army, and were so confirmed by forged letters, that Monk's agent concluded, on the 15th of November, a convention at London, which stipulated the rejection of the Stuarts, and a government without King or Lords, and besides contained other conditions which did not at all accord with Monk's plans. The latter, however, had in the meantime removed all the ill-disposed out of his army, and inspired it with such sentiments that he was able at first to make some objections to the convention, and then entirely to reject it. This was quite agreeable to most of the citizens of London who feared the tyranny of the English army ; whereas Fleetwood strengthened the garrison to keep the discontented in check. Notwithstanding this, a quarrel ensued

between the soldiers and the people, in which many were killed, and the unfavorable temper of the citizens became more and more manifest. About this time, Whitelocke represented to Fleetwood that it was undoubtedly Monk's secret intention to restore the King, and he therefore advised him to be beforehand with him. Fleetwood was already preparing to send deputies to Charles II., when Vane and Desborough induced him to change his mind, because he ought not to take such a step without the consent of Lambert, who was absent; and, besides, Monk had but lately decidedly expressed his aversion to the restoration of Charles. But within a few days things took such a turn, that those leaders were obliged either to begin an open contest with the city of London, or yield to the general wish and restore the dispersed Parliament. Nay, a great part of the army deserted them; wherefore Fleetwood sent the keys of the House, with a very polite message, to Lenthall the Speaker, adding that the guards had been removed, and the Members might resume their duties. On the 26th of December, the Rump Parliament met again, at which the same soldiers who had dispersed it two months before expressed the greatest joy.

The Parliament promptly made use of the power which it had regained, and speedily removed all the Members and officers whom it did not approve of. Desborough, with some others, fled to Lambert.

Fleetwood wept, prayed, and exclaimed: "When will the House grant us pardon? When will God answer us?"

On the 1st of January, 1660, General Monk, with about 6000 men, began his march to England, and on the 2nd received a letter from the Speaker, informing him of the victory and restoration of the Parliament, gratefully acknowledging his prudence and fidelity; but said not a word of the march into England. When Monk caused the letter to be read to the soldiers, the army expressed great satisfaction at the re-installment of its honored Commander, but resolved to continue its march, in order to have the pleasure of seeing the Members of Parliament in their places. "Wherever Monk came," says Baillie, "he was received as if he had been an angel, the people rung the bells, lighted bonfires, and declared their ardent wish for a free Parliament. Monk behaved with great affability to all, but gave no intimation of his further plans. Lambert's army which, being the most numerous, had so long threatened him, now entirely disbanded itself: a part joined Monk; some detachments went without orders to London; and Lambert had so entirely lost all his influence, that he at this moment withdrew from the scene of public life, that he might not be called to account.

On the 11th of January, Monk arrived at York, and came to so friendly an understanding with

Fairfax, who was still a person of importance, that the Parliament became suspicious, and considered both of them to be as dangerous as Lambert and Fleetwood a short time before. ⁽³⁶⁾ But as it was not sure of the obedience of the garrison of London, and Monk had already advanced so far without orders, the Parliament did not venture to direct him to return to Scotland, but considered that it would maintain its authority if it now ordered him to come to London. At the same time, the Parliament sent two of its Members, Scott and Robinson, to the army, whom Monk received with the greatest honor, though he very well knew that their object was to watch him, and to discover his secret intentions. ⁽³⁷⁾ On the following day, the 23rd of January, deputies from the city of London also arrived at the army, and demanded the convocation of a new Parliament, or at least the restoration to their seats of the Members who were excluded in 1648. Scott and Robinson were very indignant at this presumptuous demand, but could not hinder similar applications from many quarters to Monk, which he politely left to them to answer.

By these and similar means, Monk so gained the good will of the deputies, that they made the most favorable report, and the Parliament resolved to receive him and his army in London, and to remove Fleetwood's troops to another place. This highly incensed the latter, who murdered some of their officers,

drove others away, and filled the Parliament with such terror that it urged Monk to hasten his march. He arrived in London on the 3rd of February, and was introduced on the 4th to the Council of State, and on the 6th to the Parliament. After he had modestly refused the place of honor which was offered him, the Speaker addressed him in a speech praising his faithful services, to which Monk replied in such a manner as the critical and uncertain state of things seemed to require. When the oath of abjuration against the Stuarts was presented to him, he however answered that, as several had refused to take the oath, he wished that there might be a consultation between them and those that took it, as he and his men did not like heedlessly to take oaths. Very different opinions were expressed of this speech and this conduct; while some affirmed that he had too much flattered the Parliament, others said that his observation in favor of the people and the remedy of abuses was only to make himself popular, and to represent the government in a bad light; that by declining to take the oath his secret sentiments might be perceived, and by designating the best part of the people and the chief men as fanatics he shewed his envy and ignorance. It was even in contemplation to deprive him of the chief command, and to send him to the Tower; for however ill Fleetwood and Lambert had treated the Parliament, they would never have declared

for the Stuarts, which was the more to be apprehended from Monk as he had had no share in their expulsion, and had nothing to fear from them.

An unexpected circumstance interrupted these plans. The Common Council of the city of London resolved, on the 9th of February, that the city should pay no more taxes till the Parliament was filled. The Parliament, incensed at this conduct, ordered the General to lead his army into the city, to subdue the disobedient citizens by force, to seize eleven Members of the Common Council, and to pull down the chains, gates, and portcullisses. This commission was very disagreeable to Monk, as it would make the city his enemy ; but, then, should he break with the Parliament which had hitherto protected him, support disobedient citizens, and cause the reinstatement of Fleetwood and Lambert ? On the 9th of February he executed the order, to the general astonishment, in its full extent, upon which the Council of State, not satisfied with what had been done, gave orders to dissolve the municipal administration of the city of London, on account of their illegal resolution. This new order excited the greatest discontent, and things were come to such a crisis that one of the parties must necessarily completely triumph, or be overpowered within a few days. If the Republicans kept the upper hand, Monk would lose all his influence. Nay, they believed that as the army had made itself so odious

to the city, it would be easy to employ Fleetwood's soldiers against it, and join five commissioners with Monk, by whom he would be always controlled. ⁽³⁸⁾ At this moment, Monk, however, promptly came to an understanding with his officers, who had unwillingly used force against the city, then repaired to Guildhall, gained all the votes of those with whom he had just contended, distributed the soldiers, without consulting the new commissioners, and on the 11th of February, sent a letter to the Parliament in his own name, and that of the army, in which, after enumerating many grievances, he positively demanded that the Parliament should close its session on the 6th of May, and a new Parliament be summoned.

This letter called forth the bitterest complaints from the Republicans. Monk, they affirmed, had himself led to the violent resolutions against the city, and had within a few days declared to Scott, Ludlow, and others, that he would live and die with the Parliament without King, Sole Ruler, and Upper House; that he had written to Haslerig: "A republic, I say it in presence of God, is the wish of my soul, and this will be proved with God's assistance, by my actions." And in this language he still persisted; but took no pains to prevent young men, encouraged by their parents and masters, from mocking in every way the old Parliamentary soldiers, breaking Barebones' windows, and, with incredible noise and rejoicings,

lighting bonfires, and burning the Rump Parliament in effigy. Vane was ordered to quit the city. Haslerig no longer ventured to appear in the streets; and it could have little influence on Monk that this party, which was daily growing weaker, offered him the Protectorship or even the Crown. Some zealots, indeed, still hoped to triumph by the most violent means: thus Scott exclaimed, "I desire no greater honour than to have it one day inscribed on my tomb; He joined with heart and hand in the execution of Charles Stuart." Others on the contrary, like Mrs. Hutchinson, lament the end of our happiness was come, partly through false exaggerated zeal, partly through treachery; but above all through the general voice of the people, which rushed to its own destruction, like the Israelites, when they desired the return of slavery and oppression.

As the Parliament delayed giving any answer to the above proposals of Monk, and appeared to intend to oppose another army and another General to him, he secretly agreed with the hitherto excluded Members of Parliament that they should provide for the army and government, summon a new Parliament, and continue his command. How astonished therefore were the Republicans when, on the 21st of February, the excluded members were introduced by Major Miller. The good old cause, it was said, was then restored, and while some of the most hotheaded angrily retired, the others obtained the more decisive

preponderance, and acted according to the wishes of the General. It is true that in his letters and the declaration to the Parliament it was still stated that all those must be watched who aimed at the restoration of the Stuarts, or of any sole ruler; and a part of the officers still more warmly insisted on the preservation of the Commonwealth. But at the same time other persons in the Army and Parliament, secretly thought of acquiring for themselves the credit of restoring Charles. Monk, with great skill, prevented this for the present, and induced the army not to meddle with affairs of government, but to wait for the meeting of a new Parliament. The present Parliament resolved that all officers to be appointed should acknowledge the war against Charles I. to be just and lawful, and that no person that had been in arms against the Parliament or his son should be chosen a Member of the next Parliament. By these regulations many believed that every thing was regulated and secured for the future; but the omnipotence of Parliamentary resolutions had long since vanished with the respect of the people for them, and the permission given to the King's friends to vote at the elections paralyzed the effect of that hostile resolution.

On the 17th of March 1660 the Long Parliament, which had been twice dispersed by violence, finally concluded its sittings to the general joy of the nation. Its preceding conduct was then considered as

condemnable, and, as one writer reports, "People cared no more for its last resolutions than for a dead man's shoes." About the same time a painter, with a paint-pot, appeared before the Exchange with a ladder, which he mounted, effaced the inscription against the King, and cried, "King Charles II. for ever!" Instead of hindering or punishing him, all those who were present joined in his exclamation. The King's health was everywhere publicly drunk, and only the soldiers, who foresaw the end of their influence, still spoke against him.

Under these circumstances the more violent party, suffered Lambert, who was imprisoned in the Tower, to escape, that he might place himself at the head of a new army, which was to be assembled. The danger which arose from this step was undoubtedly great and urgent; but Monk and the Council of State, which was chiefly composed of moderate men, did not lose their courage. Lambert and his adherents were declared traitors; and, before he had time to strengthen himself, he was, through Monk's judicious measures, again taken prisoner.

When the new Parliament, consisting this time both of Upper and Lower House, met on the 25th of April, it immediately appeared that the Royalists had such a decided preponderance that only one great question remained to be decided: whether Charles II. should be restored with or without conditions. "An unconditional restoration," said one

party, "will destroy the effect of twenty years' efforts for the increase of civil liberty, will again surrender everything to the arbitrary will of the sovereign, to hatred and self-interest, and make the whole revolution appear a work of injustice and folly." However numerous those might be who expressed their opinion in general, there was a great diversity of views among them when they came to determine the several conditions which they meant to propose. Thus the Episcopalians, Presbyterians, and Independents entertained directly opposite views respecting the church, and the most guilty party hoped the more easily to obtain pardon if they manifested confidence, and met the King's wishes. The advocates of the unconditional restoration of Charles said, "The last conditions of the Long Parliament are too strict and partial to be taken as a basis, and a constitutional government, according to the ancient laws, is a matter of course. Rigorous conditions are the most easily attacked, evaded, or revoked. The main point now is promptly to avoid the dangers with which licentious parties threaten all moderate men. The King will be able, with the Parliament and through its co-operation, soon to regulate everything in a much more rational and solid manner than if we impose anything upon him, and reject the proper mode of free deliberation and reciprocal agreement."

This opinion received additional weight, when Sir John Grenville, as deputy from Charles, (with the

knowledge and consent of Monk, who had now openly declared himself,) presented to the Parliament his credentials from the King, and an important declaration, which his Majesty had signed at Breda, on the 14th of April, 1660, the substance of which was as follows: "We promise free and general pardon of all those who within forty days shall return to their loyalty and obedience, whatever they may have done against us and our father, so that they shall not suffer either in their lives, liberties, or estates, or, as far as lies in our power, in their reputation, by any reproach or terms of distinction by the rest of our subjects. Only those persons are excepted who shall hereafter be declared by Parliament unworthy of such pardon. We therefore grant all liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in matters of religion which do not disturb the peace of the kingdom. All recent grants and acquisitions of estates shall be examined and decided upon by Parliament, which shall also provide for the pay of the officers and soldiers of the army under the command of General Monk, who shall be received into our service with the same rank and pay as they now enjoy."

These promises appeared so entirely to dispel all apprehensions, and to satisfy all just expectations, that the two Houses immediately resolved: "The Government shall henceforth be in the King and

the two Houses of Parliament." The capital, the army, and fleet likewise declared their approbation. Deputies hastened to Breda to invite Charles to London, and to present him with £50,000, to defray the most urgent expenses. On the 8th of May, Charles was proclaimed in London ; and about the same time every libel against him and his father, nay, even the Scotch Covenant, was publicly burnt by the hangman.

On the 29th of May, 1660, on which day he completed his thirtieth year, the King made his entry into London. He was accompanied by the Members of Parliament, the Clergy, all the Magistrates, many hundred citizens dressed in purple, black velvet, &c. with chains round their necks, and above 20,000 persons on foot and horseback. The streets were everywhere strewed with flowers, the houses adorned with tapestry, &c. the windows and balconies filled with richly-dressed ladies ; ringing of bells, music, and the loudest acclamations. All the feelings which arise in the narrow circle of private life vanished as insignificant and trifling in comparison with this excitement and this boundless joy at the restoration of the happiness of the whole country. "Where then," exclaimed the King, "where are my enemies?" The whole period since 1645 appeared at this moment like one inconceivable delusion, an insane dream ; and a very few only looked with anxiety to the future, and thought that this new

enthusiasm rested on no more solid a foundation than that which they now despised, and that imperceptible clouds, lowering on the verge of the horizon, might come up with the rapidity of a whirlwind, and overshadow England with new storms.*

* Happily these gloomy prognostications were applicable only to the ill-fated family now so unexpectedly restored. To them we may indeed apply the lines of the poet :

“ Fair laughs the morn, and soft the zephyr blows,
While proudly riding o’er the azure realm,
In gallant trim the gilded vessel goes,
Youth at the prow, and Pleasure at the helm,
Regardless of the sweeping whirlwind’s sway,
That hush’d in grim repose, expects his evening prey.”

NOTES.—CHAPTER V.

(1) Page 429. Cromwell highly extolled Lord Capel, but added that, as a Royalist, he must be executed for the good of the State.

(2) Page 432. *Odriscot*, Vol. I. p. 220. The Catholics complained bitterly of the King's deceit and breach of his word; they however renewed their association for the King and religion.

(3) Page 433. Cromwell himself reports with unfeeling coldness, "Being thus entered, we refused them quarter, having the day before summoned the town. I believe we put to the sword the whole number of defendants, &c." A thousand persons, who had taken refuge in the great church, were likewise knocked on the head, stabbed, shot, &c. *Whitlocke*, p. 411, 412.

(4) Page 434. Montrose had made to the King an exaggerated representation of what he could do for him in Scotland.

(5) Page 437. *Cardinal Retz*, Vol. I. p. 234, relates that Henrietta was so neglected by Mazarine, during the troubles, that she had no wood to make a fire, and was obliged to lie in bed.

(6) Page 437. *Whitlocke*, p. 408, 499; *Lamont of Newton, Diary*, p. 6; *Ken's Life*, Vol. I. p. 69. Proceedings were instituted against many who had been guilty of the crime of loyalty. *Guthrie Mem.* p. 253.

(7) Page 438. *Hutchinson*, Vol II. p. 208; *Brodie*, Vol. IV. p. 274; *Whitlocke*, p. 446. All Scotchmen were ordered to quit England. *Lamont*, p. 23.

(8) Page 438. When Lambert expressed his joy that the people on the march to Scotland uttered loud acclamations, Cromwell observed: "They would do just the same if we were to be hanged." *Burnet*, Vol. I. p. 137. Ireton died in going, December 1651. *Lamont*, p. 36.

(9) Page 438. *Laing*, Vol. III. p. 455—464; *Whitelocke*, p. 457, the loss of the Scotch was 5000 killed, and 9000 prisoners. *Charles's Letters*, Vol. I. p. 380.

(10) Page 438. As specimens of strange puritanical prayers, we give the following: "O God, it is so long that thou hast not let us have the victory, notwithstanding our much fasting; what dost thou mean, O Lord, by throwing us into the ditch and letting us lie there? O Lord, wilt thou take a chair and sit in the House of Peers, or wilt thou vote in the honorable House of the Commons who are so zealous for thy honor? Many hands are lifted up against us; but there is a God, and thou art he. But thou doest us more harm than they all." *Israeli Commentaries*, Vol. III. p. 275.

(11) Page 442. *Scobell*. p. 88. The Koran in English was suppressed. *Whitelocke*, p. 131; *Israeli Com.* Vol. IV. p. 146, affirms that from 1640 to 1660 thirty thousand pamphlets were printed, and adds "We have been a nation of pamphleteers."

(12) Page 443. *State Trials*, Vol. II. p. 176; *Salmon*, p. 229. Lilburne had broken entirely in 1646, with Prynne and the Presbyterians, and they said the most scandalous things of each other in their pamphlets. One said, "If there was nobody in the world but John Lilburne, John would quarrel with Lilburne." *Biog. Brit. Lilburne*.

(13) Page 444. *Peck, Mem. of Cromwell, Historical Pieces*, p. 153, says that thanksgivings were put up for the suppression of the Levellers. On the 10th of May, 1650, a law was promulgated by which adultery was punished with death, fornication with imprisonment, branding, and whipping. In the sequel, under Charles II., this excessive rigor gave way to boundless licentiousness.

(14) Page 447. Vane was arrested, and sent to Carisbrook Castle. *Ludlow*, p. 420.

(15) Page 452. Some called themselves Stand-fast-upright, Kill-sin, Fight the good fight of faith, &c.

(16) Page 455. M. Bordeaux, the French Ambassador, on the contrary, speaks of some public solemnities, at which the people observed profound silence, and did not even take off their hats to Cromwell. *MS. St. Germain*, No. 1185—1187. *Bibliothèque Royale*, 777—779.

(17) Page 460. The clergy of the universities were subjected to similar violent purification. After the royalists were expelled from Oxford, Cromwell was made doctor of laws, and Joice, formerly a journeyman tailor, master of arts. *Ken's Life*, Vol. I. p. 139.

(18) Page 461. Long lists of prisoners from Devon and Somersetshire; Nobles imprisoned; many persons banished from London. *Thurloe*, Vol. III. p. 306—312—636. *Whitelocke*, p. 588. *Cromwelliana*, p. 149—160.

(19) Page 462. *MS. St. Germain*, No. 1185—1187. *Bib. Royale*, 777—779.

(20) Page 465. *Ibid.*

(21) Page 465. Others speak of about one hundred excluded. *Vaughan*, Vol. II. p. 229. *Lingard*, Vol. XI. p. 287.

(22) Page 469. *Ludlow*, p. 222—225. *Parl. Hist.* Vol. III. p. 1500. *Lingard*, Vol. XI. p. 310. It was asserted many had conspired to kill him, if he assumed the title of King. *Clarendon*, Vol. XI. p. 200. A conspiracy of the Fifth-monarchy men was discovered and defeated in April. *Thurloe*, Vol. VI. p. 184.

(23) Page 472. Respecting the proposal to unite the two republics, De Witt observes: (*Lettres*, Vol. I. p. 7.) Les Hollandais jugeaient que cette proposition renfermait plusieurs absurdités et impossibilités absolues. Toute la suite du procédé des Anglais, a bien fait connaitre que leur dessein était, ou de rendre les intérêts des deux états inséparables, ou de

rompre. *Wiquefort, Histoire des Provinces Unies*, Vol. III. p. 239. On the influence of Cromwell's party for the war. *Basnage*, Vol. I. p. 256. The Netherlands would have very gladly maintained peace. *Vie de Tromp*, p. 41.

(24) Page 473. *Dumont*, Vol. VI. p. 2—74. *Clarendon*, Vol. XI. p. 25. In conformity with the treaty, Denmark had supported the Netherlands. *Mallet, Histoire de Dannemark*, Vol. VIII. p. 265. During the wars, the piracies of the Barbary States had very much increased. *Vie de Tromp*, p. 165.

(25) Page 474. *Basnage Annales*, Vol. I. p. 333. Charles II. affirmed to Estrades, (*Negoc.* Vol. I. p. 139,) that De Witt had irritated Cromwell against the House of Orange, which De Witt and the Dutch, however, positively denied.

(26) Page 475. *Welwood*, p. 99. *Flassan*, Vol. III. p. 398. *Ludlow*, p. 213. In the *State Tracts*, relative to the government of Charles II. p. 367, there is a severe criticism on the foreign policy and domestic government of Cromwell. The war against Spain, for instance, is designated as unjust and injudicious.

(27) Page 476. In July, 1656, the Fifth-monarchy men held an assembly, and deliberated whether, when, and how, Babylon ought to be destroyed. It was resolved that the Saints ought to do it immediately, and with the sword. *Thurloe*, Vol. V. p. 197.

(28) Page 476. Of Cromwell's two sons, we shall have occasion to speak in the sequel. His eldest daughter, Bridget was married, first to Fleetwood, and then to Ireton. The second, Elizabeth, Mrs. Claypole, was distinguished for her intellectual qualities, and was her father's favorite. The third daughter, Maria, married Lord Falconbridge, and contributed to the Restoration. The fourth, Frances, married, first the Earl of Warwick, then, John Russel, and died in 1721. Ireton was a licentious, cruel republican. Fleetwood, an enthusiast, without energy. Desborough, Cromwell's

brother-in-law was restless, proud, covetous, and of unpolished manners. *Noble*, Vol. I. p. 167—179, Vol. II. p. 343—350. *Fellowes*, p. 389. *Hallam*, Vol. II. p. 380. *Peck's Mem. of Cromwell*, p. 91. Cromwell's wife was not handsome. Like the other members of the family she received many presents. *Hist. of James I.* Vol. II. p. 479—485. *Noble*, Vol. I. p. 161. His grand-daughter, Miss Bendysh, much resembled Cromwell, both in good and bad qualities. *Hutchinson*, Vol. II. p. 463.

(29) Page 477. An Englishman who travelled to the Continent, gave his word not to see Charles II. and on his return, affirmed that he had kept his promise. "Yes," said Cromwell, who had been informed by his spies, "you put out the lights first."

(30) Page 478. *Noble*, Vol. I. p. 147. *Salmon in his Examination of Burnet*, Vol. I. p. 408, endeavours to prove that Lindsay's opinion arose from a secret convention of Cromwell with a spy, before the battle of Worcester.

(31) Page 478. *Clarendon*, Vol. XI. p. 263. *Hallam*, Vol. II. p. 343—344 says: "I cannot agree in the praises which have been bestowed upon Cromwell for his just government. When his own authority was at all concerned, this soldier of the republic was more violent than any hereditary despot. The revolutionists who had produced the present state of things, were treated by him with the greatest severity." *Clarendon*, Vol. XI. p. 172:

(32) Page 479. In March, 1659, the Levellers sent divers political propositions to the King, to which indeed he could not assent. *Clarendon's State Papers*, Vol. III. p. 481.

(33) Page 482. According to *Fellome's Appendix*, LXXIV.

The royalists paid in fines	£1,305,000
Confiscated estates	6,044,000
Composition, instead of confiscation.....	1,277,000
Sale of church and crown lands, &c.	25,880,000

On the other hand, the Saints, as they were called, received :

In money	£745,000
In offices	306,000
In lands	189,000

The spies cost Cromwell, annually 60,000

Lingard, Vol. XI. p. 349. In *Thurloe's State Papers*, there are innumerable ordinances, relative to the levying of fines, taxes, conspiracies, arrests, &c. The debts amounted to £2,500,000. *Journal of the Lords*, Vol. VII. p. 631. Proofs of the interestedness of the Members of the Long Parliament. *Parl. Hist.* Vol. III. At the conclusion of 1601, each Member received, besides, £4. a week. 1612. *Salmon, Examination of Burnet*, Vol. I. p. 606, justly observes that Cromwell could do much, because he found means everywhere to obtain money and ammunition.

(34) Page 488. After Cromwell's death, Desborough and his adherents wanted to impose an oath that everyone was convinced in his conscience that the execution of Charles I. was just and legal. This proposal, however, was even less approved than a second of Lord Broghill, to maintain the present constitution. One intrigue outbid the other. *Orrery Mem.* p. 66—67.

(35) Page 491. So mad were they with pride, as to think the nation would stand by, and reverence them, and obediently wait upon them in their drunken giddiness. *Orme Baxter*, Vol. I. p. 194.

(36) Page 500. According to *Burnet*, Vol. I. p. 136. Monk offered the chief command to Fairfax.

(37) Page 500. They never lost sight of Monk. *Price*, p. 105, and endeavoured, though in vain, to gain him by bribery.

(38) Page 503. Some affirm that Monk now first thought of the restoration of the King, in order to save himself. *Orme's Life of Baxter*, Vol. I. p. 598.

END OF VOL. II.

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